

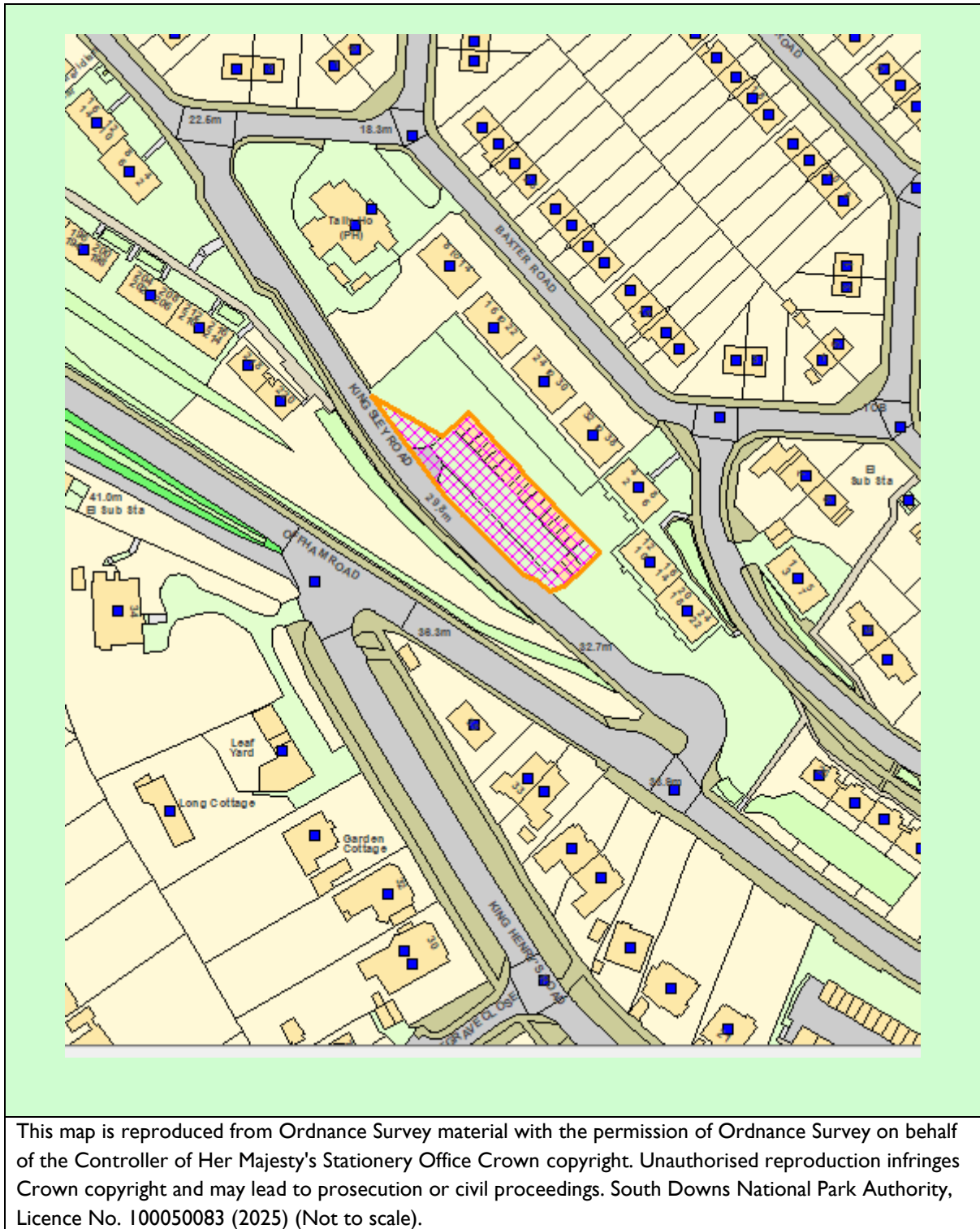
Agenda Item 14
Report PC25/26-09

Report to	Planning Committee
Date	10 July 2025
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/24/03583/FUL
Applicant	Mr Simon Burton – Lewes District Council
Application	Demolition of garages and erection of 6 x affordable dwellings to rent.
Address	Garage Compound, Kingsley Road, Lewes, East Sussex

Recommendation:

- 1. That the planning application be refused for the reasons set out in paragraph 9.2 of this report.**
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Site Location Map



Executive Summary

The application is for the development of a site allocated in the Lewes Neighbourhood Plan for six affordable dwellings (policy PL1B).

The principle of delivering much needed affordable housing is strongly supported and a key part of our Local Plan policy drive, and the National Park's duty. Nevertheless, the siting, layout and height of the proposed scheme causes significant harm to existing residential amenity and results in a cramped form of development that does not contribute positively to the character of the surrounding area. This would be contrary to policies SD5 and SD21 of the South Downs Local Plan in particular.

Along with other concerns regarding highway safety, parking provision and the amenity of the proposed residents as well, the benefits of the scheme do not outweigh the negative effects of the development as proposed. The application is therefore recommended for refusal.

1. Site Description

- 1.1 The application relates to an existing local authority-owned garage site and verge, approximately 880 square metres in area, which has been allocated for residential development in the Lewes Neighbourhood Plan (LNP). The site contains 17 single storey, flat roof garages in an L-shape formation along the north-east and south-east edges of the site. It also includes a square of land between the runs of garages, appearing to form part of the garden for one of the dwellings on Baxter Road, to the rear of the application site.
- 1.2 The site is located along the Ouse Valley Side, as defined by the South Downs Integrated Landscape Character Assessment (SDILCA) and is at the entrance to the Landport Estate, which is a large post-war housing development, built on the valley side. The access to the estate, Kingsley Road, sits at the top of the valley with the road sloping down into the valley; the garage site lies on the northeastern side, on a narrow terrace below the road height. The difference in level from south to north (where the access to the site itself is located) along the road is approximately 3m. The site boundary with Kingsley Road is marked by a grass verge 5m in width at its widest point, which is retained on the site side by a brick wall. This wall extends around the southeastern edge to support the mature trees and vegetation beyond and then continues as the rear wall of the garages. An area of mature vegetation and trees continues northwards beyond the application boundary.
- 1.3 The site lies approximately 1km from Lewes Town Centre, accessed directly along Offham Road (off which is the access to the Landport Estate). A bus stop is located opposite the application site, which offers half-hourly services into the town centre.
- 1.4 Part of Lewes Conservation Area lies to the south of the site (albeit with little direct intervisibility). Views over the site towards Malling Down and the River Ouse flood plain provide part of the context to the site.

2. Relevant Planning History

- 2.1 No relevant planning history; there have been no applications relating to the site subsequent to the designation of the National Park.

3. Proposal

- 3.1 This application has come forward as one of eleven sites across Lewes District, of which seven are in the South Downs National Park (SDNP), to provide circa 37 affordable housing units on 'underutilised garage sites'. The sites will deliver a range of homes, including 1 no. – 3 no. bed houses and bungalows, meeting the needs of households currently in housing need across Lewes District.
- 3.2 This application is seeking planning approval for 6 no. 1-bed dwellings, which would be offered as homes for affordable rent by Lewes District Council. Each unit would be spread across 2-storeys, with a balcony at first floor level providing private outdoor space. The

units will be constructed as two terraces of three units, the units themselves comprising 58sqm of floorspace, each. To facilitate the development, all garage buildings will be demolished.

- 3.3 The dwellings would be located in the northeastern corner of the site, running along the rear boundary (less than 1m from the site limit). Access would be retained and widened through the cutting back and narrowing of the verge alongside Kingsley Road. This would leave a 2m wide verge, which widens at the southern end to meet the line of the existing verge. A set of steps, leading to a pedestrian crossing point is proposed adjacent to the vehicular access point. A paved area will extend northwards onto the existing verge to provide a communal bin storage/collection point.
- 3.4 6 parking spaces will be located at the southern end of the site along the boundary, one of which would be located between the retaining wall and a new secure bike store. Railings are proposed along the boundary edge for safety reasons. The mature sycamore located at the southern end of the verge will be retained.
- 3.5 The dwellings would be constructed using a volumetric modular construction (VMC) method – in this instance once the substructure has been installed on the site (e.g. piles / footings) the modules are transported to site, assembled and clad with brick slips and metal cladding – the latter also representing the roof material. Windows and doors are proposed to be recycled UPVC units. The roof would comprise an asymmetric mansard form, accommodating the aforementioned balcony within and with Photovoltaic (PV) panels on the uppermost roof planes.
- 3.6 Most windows would be located on the front elevation of the properties i.e. facing towards Kingsley Road, with a single obscure glazed window on the rear elevation at ground floor level in each unit and roof lights at first floor level. The southernmost dwelling (Unit 6) would also have a small window facing south.

4. Consultations

4.1 Design Officer – Objection.

Whilst some design concerns have been overcome, significant design concerns remain particularly in relation to the form of the proposed houses and the additional overbearing nature of the already compromised rear elevations and gardens of the flats to the north. It remains the view that some development is possible here, however the provision of six dwellings is compromising the appearance of the proposals and worsening the site's overbearing impact experienced by adjacent properties. It is acknowledged this site is very challenging and I cannot readily see another less compromised solution to achieve six units here.

4.2 Lewes Town Council – Comment.

Concerns about residents parking should be looked into. Lewes Town Council were positive about good use of the space.

4.3 Local Highway Authority (ESCC) – Further information required.

Further information is required to demonstrate the visibility splay correctly and the nature of the improvements to the access gradient proposed. The proposed stepped pedestrian access is suboptimal and requires repositioning – further details are also required to show the new location and the location of the crossing point on the opposite side of the road. These details are required prior to determination. Final design details of this would be acceptable at condition stage.

4.4 Southern Water – No objection.

4.5 Sustainable Construction – Comments

There is concern that the use of direct electricity for space heating based on a SAP 10

assessment may result in affordability issues for the occupants. Further details are required and the strategy for the use of substituted, re-used, recycled or other green materials, the location of internal recycling bins and how the dwellings are designed to reduce overheating risk. In the event permission is granted, these matters could be secured by condition.

5. Representations

5.1 Four objections were received when the scheme was first received, and a further three following the consultation on revised and additional information submitted in June 2025. The comments are summarised below. Where multiple comments have been received from a single party, these have been counted as one representation.

5.2 Objections

- Loss of light to dwellings behind site.
- Impact on wildlife.
- Loss of privacy in gardens and flats behind.
- Any removal of existing planting will exacerbate surface water run-off from application site.
- Removal of garden from existing leasehold residents.
- Impact on bank stability.

5.3 Friends of Lewes

Friends of Lewes support the proposed scheme in principle, both in design terms and because it would add to Lewes' housing stock, especially if they maximise the opportunity to provide much-needed affordable housing.

6. Planning Policy

6.1 Most Relevant Sections of the National Planning Policy Framework:

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

6.2 Most relevant Policies of the Adopted South Downs Local Plan (2014-2033) (A full list of relevant policies and applicable legislation can be found in Appendix 1):

- SD5: Design
- SD21: Public Realm, Highway Authority
- SD22: Parking Provision
- SD25: Development Strategy
- SD28: Affordable Homes

6.3 The South Downs Local Plan is undergoing a period of review and the First Publication (Regulation 18 Consultation) was undertaken between 20 January – 17 March 2025. This is the first publication of the Local Plan Review and therefore can only be attributed very little

weight. As it progresses through the adoption process, it will gain more weight for the purposes of decision making.

6.4 Most Relevant Policies of the Adopted Lewes Neighbourhood Development Plan (A full list of other relevant policies can be found in Appendix I):

- PL1B – Allocated Sites
- PL2 – Architecture and Design
- PL4 – Renewable Energy and the Resource and Energy Efficiency of New Buildings

6.5 Other Relevant Policy Documents (including Supplementary Planning Documents and Technical Advice Notes):

- Design Guide SPD
- Parking for Residential and Non-Residential Development SPD
- Sustainable Construction SPD
- Biodiversity Net Gain TAN
- Dark Skies TAN
- Ecosystem Services TAN

6.6 Relevant Policies of the South Downs Management Plan (2020 – 2025)

- Partnership Management Plan Policy 1 (Landscape)
- Partnership Management Plan Policy 3 (Dark Skies)
- Partnership Management Plan Policy 25 (Water Efficiency)
- Partnership Management Plan Policy 37 (Active Travel)
- Partnership Management Plan Policy 39 (Vehicle Parking)
- Partnership Management Plan Policy 40 (Transport)
- Partnership Management Plan Policy 48 (Towns and Villages)
- Partnership Management Plan Policy 50 (Housing)

7. Planning Assessment

7.1 This application is seeking full planning approval for the development of the Kingsley Road garage site. Therefore the main issues for consideration are:

- Principle of development
- Affordable Housing / Housing Mix
- Sustainable construction and Net Zero
- Highways, parking and public realm
- Design and landscape
- Residential amenity
- Ecology and biodiversity net gain (BNG)
- Drainage

Principle of Development

7.2 The majority of the application site is allocated in the Lewes Neighbourhood Plan (LNP) for six dwellings (Policy PL1B). The principle of residential development on this site is therefore

acceptable subject to compliance with the Development Plan as a whole and material planning considerations.

Affordable Housing / Housing Mix

- 7.3 In accordance with South Downs Local Plan (SDLP) policy SD28, the site is required to provide two affordable homes. The proposal is for all the units to be secured as affordable or social rented housing, which goes beyond the minimum required and is welcomed as this supports the National Park Duty and the provisions of the 2010 Circular (see Appendix 1). Considered in isolation, the application site does not demonstrate a policy compliant housing mix, however, given the constraints of the site and the wider provision of affordable homes across the multiple sites outlined in Section 3 of this report, such deviation is considered acceptable. The provision of 100% affordable homes on a site allocated in the LNP is given significant weight.
- 7.4 The LNP requires a proportion of any affordable housing being provided to be delivered as 'Lewes Low Cost Homes' (LLCH). The ability to provide LLCH will depend, among other things, on the tenure of affordable housing being proposed and land ownership; as the land is owned by Lewes District Council, if the units were to be provided as Social Rented units, these would belong to the Lewes District's Housing Revenue Account and could not be redefined as anything but Social Rented units. The application is currently not clear on the type of affordable housing being proposed i.e. Affordable or Social Rent. This would need to be clarified and secured as part of a S106 Agreement in the event planning permission were granted.

Sustainable Construction and Achieving Net Zero

- 7.5 Policies SD48, PL2 and PL4 require the design of new development to address climate change mitigation through the on-site use of zero/low carbon technologies, sustainable design and construction and low carbon materials. Proposals must achieve an additional 19% carbon reduction above Part L and a total mains consumption of no more than 110 litres per person per day.
- 7.6 The proposed development has demonstrated 79.12% reduction in CO2 emissions for residential use over the notional building case for the development. Whilst normally UPVC windows and doors would be discouraged, these are prevalent within the local context and it is noted that the units comprise ~75% recycled materials. The scheme also proposes a PV array on the uppermost roof planes (which are largely flat) as well as a hot water heat pump.
- 7.7 Water fittings within the units will ensure a water consumption target of 105 litres, per person per day is achieved.
- 7.8 It is considered that the proposal would meet the requirements of SD48 from the SDLP and policy PL4 from the LNP.

Highways, Parking and Public Realm

- 7.9 The principle of utilising the existing access is acceptable and in accordance with the site allocation policy. This does require widening, to enable vehicles to enter and exit the site, which is also acceptable in principle. East Sussex County Council as Local Highway Authority (LHA) have advised that due to the sloping nature of the site the access gradients are too steep. They acknowledge that owing to the site's physical constraints, it will not be possible to achieve the standard gradient outlined in the LHA guidelines. The LHA have advised that provided that a tangible improvement over the existing arrangement can be demonstrated, this will resolve their concerns on this matter. The details currently provided are unclear as to what would take place and what this would look like on plan. Therefore, there is insufficient information to resolve this matter prior to determination of this application, which was a clear requirement in the Local Highway Authority response. It is considered necessary for this information to be provided before the application is determined as the requirements could change the alignment as shown on the current site layout plans.

Therefore, this detail cannot be secured by condition.

- 7.10 Of greater concern is the proposed pedestrian access to and from the site. A stepped pedestrian access is proposed adjacent to the vehicular access. This renders the site currently unable to provide safe access to wheelchair users and those with pushchairs (as they would have to use the carriageway / road to access the site). Furthermore, details of the crossing point are only provided for the application side of the crossing. The pavement it links to on the opposite side of the highway is raised above the carriageway so it is not clear whether the gradient on the far-side verge and pavement will allow for a safe landing point for pedestrians. This does not demonstrate protection or enhancement of highway safety, nor does it protect the safety and amenity of all road users, particularly pedestrians and users of mobility aids. Given the insufficient nature of the details provided, it is currently considered that the proposal would be contrary to policies SD5 and SD21 of the SDLP and paragraph 115(b) of the NPPF.
- 7.11 Four of the 17 garages on the site are currently leased with at least one showing signs of frequent use (based on the applicant's Transport Statement and Officer Site Visits). The loss of these garages has been accepted in principle through the Neighbourhood Plan allocation. Given the low level of use currently demonstrated, the loss of the garages on this site is unlikely to have an adverse effect on the amenity of the surrounding area.
- 7.12 A total of six parking spaces are proposed, all of which would support electric vehicle (EV) charging. This is below the number of spaces recommended by the Parking Calculator in the SDNPA Parking SPD, which advises eight spaces should be provided on site. The site is located directly opposite a bus stop which offers a frequent service to the nearest town centre (notwithstanding the current lack of adequate crossing / access to this stop from the site across the road). Other facilities including schools and shops are within walking distance of the site. Given the sustainable location of the site and the fact the properties are all 1-bedroom units, a reduction in the total number of spaces provided by the application site is considered acceptable in this instance. Lewes Town Council have suggested including car club spaces or a cycle hub as part of the wider provision of the housing on existing garage sites. These are encouraged by the NPPF and it is disappointing that this has not been considered by the applicant, however officers note this is a commercial decision for the applicant.
- 7.13 The layout and size of some of the parking spaces is of concern and it is considered that it has not been adequately demonstrated that all spaces are capable of use nor that they meet the adopted parking standards. Standard parking spaces are required to measure 5m in length by 2.5m in width, with a further 0.5m to be added on either or both sides if there is a wall/fence adjacent (in accordance with the SDNPA Parking SPD). In the case of at least one of the spaces, this additional space is required and has not been provided. All residential car parking should be safe, conveniently located for the dwellings they serve, overlooked and accessible for all. None of the proposed spaces provide additional capacity to enable disabled parking. Furthermore, whilst tracking has been provided for some of the parking spaces, it does not appear that if cars were parked in all spaces, it would be possible to adequately manoeuvre out of the dedicated spaces. Tracking has also not been provided for larger vehicles, such as delivery vans, which are likely to access the site and require turning space. Therefore, the proposed layout fails to provide parking that serves the needs of the development nor is it in accordance with the SDNPA Parking Standards. The lack of usability of some of the spaces and the poor layout overall fails to be accessible and inclusive for all which could also impact on safety. This is therefore contrary to policies SD5, SD21 and SD22 of the SDLP.
- 7.14 Cycle parking is proposed in a secure store at the southern end of the application site. This is not well overlooked by the dwellings, nor is it easily visible from Kingsley Road itself. It would also be one of the obstructions to a parking space as mentioned above. Ordinarily, were there no other issues, this is a matter that could be secured by condition, however, as

highlighted above due to the layout and size of parking spaces, officers are not convinced there is sufficient space within the current arrangement to provide the facility and it is currently contrary to policy SD21 of the SDLP.

Design and Landscape

- 7.15 Following officer advice earlier in the application process, the proposed scheme has been amended to resolve some matters, including the location of the bin store, the reduction in overall height to overcome loss of daylight to existing properties and the removal of windows from the rear elevation (the latter is considered in greater detail under the section on Residential Amenity). Whilst these changes are welcomed, there remain fundamental concerns regarding the design which have not been adequately resolved.
- 7.16 The gambrel roof approach is a feature found elsewhere in the Landport Estate, although the existing examples are significantly steeper and with clay tiling, which assimilates them with the more traditional pitched roofs in the vicinity. They are also symmetrical, with four slopes rather than the five proposed on the application site. The proposed asymmetrical, shallower pitched roof exacerbates the depth of the built forms and results in a compromised appearance to the roofs. The resulting form will be highly visible both within the street scene and from an elevated position along Offham Road providing the foreground to views across to Malling Down. It is acknowledged that the existing garages do not contribute positively in these views either, however, their overall height and depth is considerably smaller reducing their visual impact.
- 7.17 The use of private balconies is supported by the Design Guide SPD and are an appropriate method of delivering private amenity space in this location. There is very little overall amenity space within the wider site, which does not meet expected standards – with more expected to be lost in order to deliver an appropriate pedestrian access to and from the site. Three of the properties proposed will also have an outlook which is largely compromised by the retaining wall for the highway verge. This further demonstrates the requirement for meaningful amenity space as part of the development site.
- 7.18 The proposed dwellings have been sited less than 1m from the rear boundary of the site, with built form hard up against the northwestern and southeastern boundaries. Over 50% of the existing elevated bank alongside Kingsley Road is also proposed to be removed. These elements cumulatively mean the site is working overly hard to squeeze all the necessary elements of a residential development of this scale within the site allocation boundaries – which have already been extended to accommodate the bin store, cycle store and a small area of planting.
- 7.19 In summary, as result of the following factors:
- Overall lack of amenity space and poor outlook for proposed dwellings,
 - Uncharacteristic roof forms,
 - Siting of the buildings hard-up against the site boundary,
 - Lack of space within existing garage compound (and site allocation boundary) to accommodate bin and cycle storage, and
 - Insufficient parking arrangements,

Officers have been led to the conclusion that the quantum of development in the form proposed cannot achieve a quality scheme that satisfactorily complies with the relevant policies of the SDLP and LNP.

Residential Amenity

- 7.20 The proposed development has been amended during the course of the application process, most notably to remove the ground floor Juliet balconies on the rear elevation. These

would have resulted in significant overlooking of the existing flats, which would have been wholly unacceptable. The replacement of these with smaller, obscure glazed units, which would be non-opening below 1.7m from finished floor level removes much of the overlooking concern. Whilst this is an improvement on the original scheme, the proposed development would increase the overall height of the buildings from the current garage height of 2.4m to 6m on significantly higher ground above those dwellings to the rear.

- 7.21 The roof form has been adjusted in order to bring the eaves height lower, to 3.75m which has resolved officers' initial concerns regarding additional overshadowing of the existing dwellings. Whilst this may not have a significant impact on overshadowing or loss of daylight, it does increase the existing overbearing nature of the garage site in an already compromised relationship with the dwellings below.
- 7.22 As considered above, overlooking from the dwellings themselves has been resolved, however the area of parking to the south of the dwellings would be bounded by railings, enabling more open views into the gardens and rear windows of the dwellings, which are 15m from the site boundary. This would introduce direct overlooking of the existing properties which is not currently possible. An alternative boundary structure may reduce this impact although would have to be carefully considered so as to not impact negatively on the public realm.
- 7.23 The area of land in the corner (between the existing garages) will need to be filled in, the level raised and supported by a retaining structure in order to provide the cycle store and landscaped area proposed. No details of how this will be achieved have been provided. This part of the site is within 5m of the closest block of flats on Baxter Road, removing an area currently used as garden. This activity would exacerbate an already overbearing relationship, increasing the dominance of the development on the higher ground level.
- 7.24 The development therefore fails to comply with policy SD5 of the SDLP, PL2 of the LNP and the Design Guide SPD.

Ecology and Biodiversity Net Gain

- 7.25 The majority of the site is hard surfaced and with flat-roofed, brick built garage units. The Preliminary Ecological Survey undertaken to support the application confirms there is little of ecological value within the site boundaries. The surrounding habitat was considered to have moderate potential to support commuting and foraging bats and so mitigation is recommended. This could be conditioned in the event the proposal was considered acceptable.
- 7.26 The proposed development includes the loss of areas of neutral grassland and existing trees. As a result of the area affected, the applicant has been required to provide mandatory BNG, using the Small Sites BNG Metric. Given the constraints of the site, the applicant considers it would not be possible to provide the necessary BNG on site and has therefore secured units through the Environment Bank. These units would be provided within Wealden District. The SDNPA BNG Technical Advice Note (TAN) expects offsite credits to be secured within the SDNP in the first instance. If not, justification for why this is not possible or reasonable should be provided. The applicant is currently reviewing whether options are available within the National Park to deliver the required BNG credits. A Section 106 Agreement would be required to secure these credits, in the event permission were granted.

Drainage

- 7.27 The site is in Flood Zone 1 and unlikely to be at risk of fluvial or tidal flooding. Precautionary measures are proposed against potential overland flow and surface water risk including the raising of finished floor levels to at least 150mm above surrounding ground floor levels.
- 7.28 Surface water would be held in a below-ground attenuation storage tank, under the parking

area. There is a loss of grassed areas, however the currently tarmacked compound would be resurfaced in part with permeable paving. There is also an opportunity to include minor rainwater harvesting benefits, thereby achieving an improvement in surface water management from the existing arrangements. As such, the proposal would comply with policies SD49 and SD50 of the SDLP.

Planning Balance

- 7.29 The applicant has suggested that the SDNPA cannot demonstrate a 5-year housing land supply (HLS) and that it does not have an up-to-date Local Plan. Therefore, in accordance with paragraph 11 of the NPPF, any adverse impacts of the development would have to “significantly and demonstrably outweigh the benefits,” when assessed against the NPPF as a whole, if the scheme were to be refused. The SDNPA’s latest Annual Monitoring Report (AMR) states that a 5-year HLS has been achieved (5.9 years), therefore this is the wrong test of the NPPF to apply. In any event, a National Park is one of the ‘protected areas’ listed in paragraph 11 of the NPPF which means the test would be different to that outlined in the applicant’s planning statement.
- 7.30 The scheme would provide six units of affordable housing on an allocated site, which is given significant positive weight. The site is well served by local facilities and close enough to the town centre to provide most other day-to-day requirements. The principle of modular housing in this context is also considered acceptable and the materials proposed for the dwellings are broadly supported (subject to final details).
- 7.31 The siting of the dwellings against the rear boundary of the site and the increased height of the buildings in this location would result in an overbearing, overly dominant relationship with the existing dwellings on Baxter Road. This is exacerbated by the close distance between the existing and proposed dwellings and the change in levels between the two sites, the impact of which is extended in the south-eastern corner of the site where the existing levels would need to be increased. The removal of the garages to the south and provision of a more open boundary serving the car park area would result in direct overlooking of gardens and the flats themselves from higher ground. This leads to an unacceptable level of harm being caused to the living conditions of existing residents and to the private residential amenity from which they currently benefit. This is given significant negative weight.
- 7.32 Insufficient information has currently been provided to demonstrate that safe pedestrian and mobility-aided movement can be achieved to and from the site. This may be capable of being resolved, however it would require significant amendments to the scheme as proposed, which may impact other aspects, such as ecosystem services and loss of previously retained amenity space. Similarly, the parking arrangements are currently unsatisfactory, as the spaces proposed do not meet the size requirements of the SDNPA Parking SPD. Without amendment, these matters attract significant negative weight.
- 7.33 On balance, whilst the proposal would provide much-needed affordable housing, it would also lead to adverse effects on the living conditions of existing properties and would fail to demonstrate a design that is appropriate and sympathetic to its setting in terms of height, massing and roof form and would not avoid harmful impact on the surrounding properties. The site layout would also fail to protect the safety and amenity of all road users. In this instance the benefits of bringing forward the proposed scheme are not outweighed by the harm caused by the development.
- 8. Conclusion**
 - 8.1 The proposal would provide affordable housing on an allocated site within the settlement boundary of Lewes and would therefore accord with policy SD25 of the SDLP and PL1B of the LNP.
 - 8.2 The proposal causes significant adverse effects by virtue of its layout, groundworks and scale that fails to ensure the development makes a positive contribution to the character and

appearance of the area and would not avoid harmful impact on residential amenity. Further it would not provide safe pedestrian links from the site to the wider highway network, nor would it provide appropriate parking facilities. As such, the proposal would be contrary to policies SD5, SD21 and SD22 of the SDLP.

- 8.3 Without the completion of a Section 106 Agreement, the proposed development would not secure the necessary BNG and affordable housing requirements and would also be contrary to policies SD9 and SD28 of the SDLP.
- 8.4 On the basis of the above assessment, it is recommended that the application be refused.

9. Recommendation and Conditions

- 9.1 It is recommended to refuse planning permission for the reasons set out in paragraph 9.2.

9.2 Reasons for Refusal

1. The proposed development, particularly the cumulative effect of the proposed layout, siting, scale, form, the detailing of the roof, car parking and urban design, would result in an overdevelopment of the site and would not represent a high quality design. The proposal would be visually harmful within the street scene and from the elevated position along Offham Road and would fail to provide appropriate amenity space for the occupiers of the development. For these reasons, the proposed development is contrary to policies SD1, SD5 and SD21 of the South Downs Local Plan 2014-2033, PL1 and PL2 of the Lewes Neighbourhood Plan 2015-2033, the National Planning Policy Framework 2024, the First Purpose of a National Park, the English National Parks and the Broads: UK Government Vision and Circular 2010, and policies 1, 39 and 48 of the South Downs Partnership Management Plan 2020-2025.
2. The proposed development, particularly the siting, form, scale and groundworks required, would result in a harmful impact on the living conditions and private amenities of occupiers of the existing residential properties in Baxter Road to the rear of the site. For these reasons, the development would be contrary to policy SD5 of the South Downs Local Plan 2014-2033, PL1 and PL2 of the Lewes Neighbourhood Plan 2015-2033, the Design Guide Supplementary Planning Document July 2022 and the National Planning Policy Framework 2024.
3. Insufficient information has been provided to demonstrate that the proposed development could provide safe access and egress to the site for both vehicles, pedestrians and those requiring other wheeled methods of transport. The proposed site layout fails to provide parking that serves the needs of the development both in respect of usability and manoeuvrability. For these reasons the development would be contrary to policies SD21 and SD22 of the South Downs Local Plan 2014-2033, the Design Guide Supplementary Planning Document July 2022 and the Parking for Residential and Non-Residential Development Supplementary Planning Document.
4. In the absence of a completed Section 106 Legal Agreement securing the necessary offsite biodiversity net gain credits and the provision of affordable housing, the proposal would be contrary to policies SD9 and SD28 of the South Downs Local Plan 2014-2033, the National Planning Policy Framework 2024 and the Purposes of a National Park.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices: Appendix I - Information concerning consideration of applications before committee.

Background Documents: [All application plans, supporting documents, consultation and third party responses for SDNP/24/03583/FUL](#)

[Lewes Neighbourhood Development Plan](#)

[South Downs Local Plan 2019](#)

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

