

Steven Brown
Woolf Bond Planning Ltd

(by email)

15th May 2024

Dear Steven

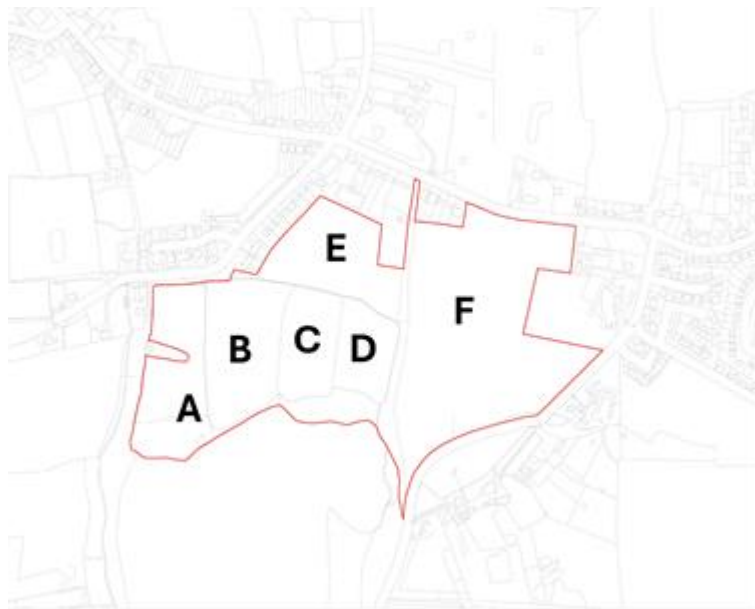
Re: Pre application request, ref: PREAPP/23/0158

Project type: Erection of approximately 170 dwellings, landscaping, open space, and land for either school expansion or community use, with potential points of access

Site Address: Land south of Green Road, Wivelsfield Green, RH17 7QN

Site Description:

The application site, which has an overall area of approx. 21.2 hectares comprises a large eastern field which is currently in arable use and flanks Green Road along its northern boundary and a group of 5 smaller hedgerow enclosed fields to the western side, which currently appear to be in pasture. A public bridleway bisects the site, running alongside the western edge of the eastern field. For ease of reference each field will be referred to by letter as per the image below.



Field F slopes gently down from north to south and there is a prominent group of mature oak trees towards the southern end beyond which it rises more steeply upwards towards Hundred Acre Lane and the woodland beyond. The other fields are broadly flat. There is a watercourse running along the western and southern edges of the northernmost of the western fields. Fields A-D are flanked by ancient woodland at West Wood along their southern edges.

The entire site falls outside of the two settlement boundaries that define the eastern and western sides of Wivelsfield. Field F effectively bridges the two sides of the village whilst Fields A-D are contiguous with the settlement boundary of the western part of the village, which follows the course of the rear boundaries of properties on Green Road and Eastern Road which back onto the site. Fields A-D fall within Westmeston Parish whilst land to the west fields A-C is within Ditchling Parish.

Field F is identified in the Wivelsfield Neighbourhood Plan (WNP) as a local green space. A small parcel of land has been annexed in the north-western corner and is occupied by a war memorial. The ancient woodland to the south-west of the site at Purchase Wood is designated as a Local Wildlife Site.

The surrounding built environment is characterised by linear development following the course of the main routes into and through the village. On the eastern side of the village, infill development has evolved along small cul-de-sacs and tertiary roads that branch off from the main route. Development on the western side of the village remains predominantly linear in its arrangement along main routes although it is noted that an outline approval for up to 98 dwellings on fields to the south of Blackmores has recently been granted on appeal. Dwellings on Green Road an Eastern Road back on to Field E.

The majority of buildings in the village are residential and either single or two-storey. These dwellings are interspersed with occasional buildings accommodating retail uses, a public house and business uses. There is a primary school adjacent to the site to the east and the village hall and recreation ground close by the site to the west.

The site falls within Flood Zone 1 and is therefore not identified as being at significant risk of flooding from tidal or fluvial sources. There are, however, significant parts of the site that are at low, medium and, occasionally, high risk of surface water flooding. This primarily applies to edges of the fields although there are larger parts of fields E and F which are at risk, presumably as a result of overland flow.

There are no other specific planning designations or constraints attached to the site.

Proposed Development:

Advice is sought on the likelihood of a development of the nature described above on the land identified being supported by officers. The submission is accompanied by an indicative framework plan, opportunities and influences plan, a tree constraint report and mapping, suggested viewpoints to be included in any forthcoming Landscape and Visual Impact Assessment (LVIA) and a covering letter.

The scheme shown on the indicative framework plan would effectively leave field F (approx. 8.7 hectares), which flanks the southern side of Green Road, undeveloped although the site access road would pass across the north-eastern corner. The intention is for this parcel of land to become informal public greenspace, with the south-eastern corner potentially made available to support the expansion of the neighbouring primary school or to support an alternative community function.

Development would be focussed on fields A-E (with a combined area of approx. 11.9 hectares), which are arranged in an inverted L shape, which comprises field E which is backed on to by dwellings on Green Road to the north and Eastern Road to the west the row of four broadly rectangular fields (A-D) positioned south of Eastern Road and to the east of the public bridleway which runs southward towards Ditchling.

The framework plan shows attenuation ponds either side of the watercourse that runs along the southern edge of field E. Green buffers are shown between the proposed areas of development and the ancient woodland which lies to the south.

The routing of the public footpaths that pass through the site is shown as being retained as existing.

Principle:

The site falls outside the planning boundary as defined in the Lewes District Local Plan Part 2 (LLP2), although it is noted that it is contiguous with it where it adjoins dwellings on Green Road and Eastern Road. As such, is subject to strict controls on development as per LLP2 policy DM1 which states that 'the distinctive character and quality of the countryside will be protected and new development will only be permitted where it is consistent with a specific development plan policy or where the need for a countryside location can be demonstrated.' This is echoed in WNP policy 1 and DSWNP policy DS1.

However, since May 2021, five years after the adoption of the Lewes Local Plan Part 1 (LLP1), the district's housing land supply has been based on the standard method set by Government, resulting in the local housing need figure rising to 782 dwellings per annum from the 345 dwellings per annum currently set out in the adopted Local Plan.

The Council is unable to demonstrate a five year supply of deliverable housing sites sufficient to meet this need. Decisions on planning applications involving the provision of housing will therefore be made in accordance with Paragraph 11 of the NPPF which allows for a refusal if there is a strong reason for restricting the overall scale, type or distribution of development due to harmful impact upon the areas or assets of particular importance listed in footnote 7 as per para 11 d) i or, in any other circumstance, where the harms caused by the development would significantly outweigh its benefits as per para. 11 d) ii.

The Council is currently working on an updated Local Plan. In the meantime, it must continue to determine planning applications on their individual merits, having regard to the policies of the approved development plan and any other material considerations, including national planning policies.

Field F is designated as local green space and, therefore, is regarded as an area or asset of particular importance as per footnote 7 of the NPPF. Para. 107 of the NPPF makes it clear that 'policies for managing development within a Local Green Space should be consistent with those for Green Belts.'

Para. 142 of the NPPF states that 'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.' Para. 150 goes on to state that 'local planning authorities

should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.'

The proposed development involves the local green space being retained for informal recreational use, although the north-western corner would be subject to development in the form of the access road. Para. 155 of the NPPF states that local transport infrastructure would not be regarded as inappropriate green belt development provided it preserves its openness and does not conflict with the purposes of including land within it.

The evidence base and examiners comments associated with the Wivelsfield Neighbourhood Plan, which provides the local green space designation of the site, identified the key function of the field F as a landscape gap that preserves the rural setting in a central location within the village, provides a rural outlook from the primary school, a rural setting for the war memorial and references the historic use of the land as part of the historic Wivelsfield Common.

It is considered that the access road could be sympathetically designed so as to minimise impact on the open rural character of field F and that enhancement works to improve public access could improve the way residents can experience the rural setting of the village, provided landscaping is not overly formalised and does not compromise the historic character of the land as an open field. Noting that local transport infrastructure is not regarded as inappropriate development and that enhancement of beneficial use of local green space is seen as positive, it is likely that a sympathetically designed scheme would not warrant a direct refusal due to impact on the local green space and, as such, para. 11 d (i) would be disengaged.

It is noted, however, that the ESCC Landscape Architect has raised concerns in relation to how the proposed access road and associated screening would impact upon the open character of the local green space. Only if these concerns were suitably addressed or mitigated would the application of the 'tilted balance' approach set out in para. 11 d (ii) be engaged.

To assist with decision making, an Interim Policy Statement for Housing Delivery, has been produced. This includes a series of 'tests' which seek to direct development outside of settlement boundaries to areas where the harms caused would be lowest and where the location is most sustainable. It is important to note that this is not an adopted policy and, whilst it carries a degree of weight, it should be viewed as guidance rather than a strict policy consideration.

The NPPF does not identify or recognise planning boundaries in the form they are represented in the local development plan. The only areas subject to specific restrictions to the principle of development are green belts. Whereas this impacts upon the use of the field F, as set out above, for general areas outside of settlement boundaries, para. 84 of the NPPF maintains only that 'planning policies and decisions should avoid the development of isolated homes in the countryside'.

It is noted that the site was assessed as part of the Council's 2023 Land Availability Assessment (LAA) as site reference 31WV where, based on a high level assessment, it was concluded that although the site is considered to be in a sustainable location, it would not be suitable for residential development due to it incorporating designated Local Green Space in

the Wivelsfield Neighbourhood Plan and the very high sensitivity of the surrounding landscape to development.

Additional assessments were made for disaggregate parts of the site including the majority of field F (ref: 28WV) which was rejected due to loss of local green space and potential flooding issues and field E (ref: 29WV) where it was considered that a development of up to 47 dwellings could be acceptable due to its ability to integrate with existing development on Green Road and Eastern Road. This came with the caveat that access arrangements would need to be established and it would be preferable for access from Green Road given the lack of footways on Eastern Road as well as a requirement for widening works which may impact negatively upon its character.

Site Reference: 03WV Not Deliverable or Developable
Land at Eastern Road/Green Lane

		Parish or Town		
		Wivelsfield		
		Site Area	6 Ha	
		Greenfield or Previously Developed: Greenfield		
		Proposed Development		
		Residential		
		Site Source		
		2018 SHELAA		
Current or Last Use		Agriculture		
Recent and Relevant Planning History		No recent or relevant planning history.		
Theoretical Residential Capacity		90 homes	Indicative Density	20 dph
LAA Indicative Residential Capacity		0 homes		
LAA Indicative Employment Capacity		0 Ha		

Site Reference: 28WV Not Deliverable or Developable
Land at Green Road

				Parish or Town	
				Wivelsfield	
				Site Area	4.5 Ha
				Greenfield or Previously Developed: Greenfield	
				Proposed Development	
				Residential	
				Site Source	
				2018 SHELAA	
Current or Last Use		Agricultural			
Recent and Relevant Planning History		No recent or relevant planning history.			
Theoretical Residential Capacity		101 homes	Indicative Density		30 dph
LAA Indicative Residential Capacity		0 homes			
LAA Indicative Employment Capacity		0 Ha			

Site Reference: 29WV Potentially Deliverable or Developable
Land at Eastern Road

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Site Reference: 31WV Not Deliverable or Developable
Land east and west of Green Lane, north of West Wood

				Parish or Town	
				Wivelsfield	
				Site Area	20.6 Ha
				Greenfield or Previously Developed: Greenfield	
				Proposed Development	
				Residential	
				Site Source	
				2018 SHELAA 2020 CFS	
Current or Last Use		Agricultural			
Recent and Relevant Planning History		No recent or relevant planning history.			
Theoretical Residential Capacity		309 homes	Indicative Density		30 dph
LAA Indicative Residential Capacity		0 homes			
LAA Indicative Employment Capacity		0 Ha			

Landscape Impact and Design:

The primary concern raised in the LAA over the use of site 31WV for residential development related to the impact such a development would have upon the linear form of development that is characteristic of the western side of Wivelsfield as well as the loss of local green space in the field F. The recently completed Landscape Sensitivity Assessment (LSA) draws a similar conclusion, stating that an initial finding that the landscape surrounding the western fields (LSA ref: Wivelsfield Green E) had a medium sensitivity to large scale residential development was revised upwards to medium-high on account of fields A-D being strongly related to the ancient woodland to the south, with their boundary hedgerow connecting to it, as well as it being considered that any development outside of the field E would compromise the linear pattern of development in the west of the village. However, the LSA did regard field E as being potentially suitable for medium scale residential development due to potential to integrate with existing linear development on Green Road and Eastern Road, provided surrounding green infrastructure is protected and enhanced.

The LSA assessment of the field F (Wivelsfield Green F) regarded it as having medium-high sensitivity to development due to it being an area of local green space and to it providing a landscaped 'gap' between the eastern and western parts of the village. The assessment also noted the historic parkland qualities of the southern end of the field, where there are a number of mature oak trees.

Visual sensitivity across the site is heightened due to a number of public rights of way either traversing it or passing close by.

The proposed development, as presented, intends to utilise the field F as publicly accessible informal green space although there would inevitably be a degree of suburbanising impact in the north-western corner where the site access would be located. Securing this green space for public use is considered to be beneficial provided the planting is not overly formal and it retains a natural character. The lack of any buildings in this portion would also address concerns regarding loss of local green space, although there would be some loss due to the road and its impact will therefore have to be carefully mitigated and the loss of green space compensated in an appropriate way. The open green 'gap' between the eastern and western parts of the village would also be retained.

There are significant concerns regarding the development of fields A-D given their interrelation with the ancient woodland to the south, where they provide a green buffer, the need to maintain their distinctive hedgerow boundaries and to maintain the rural setting of the village to the north and west, as well as its spatial characteristics and to ensure there is an appropriate transition between the built environment and the sensitive rural environment, including ancient woodland, to the south.

The appeal decision for the nearby site south of Blackmores (LDC ref: LW/21/0729 – PINs ref: 3305946) is noted, in particular the comments from the inspector in para. 17 regarding the impact the development, which is at depth, would have upon the generally linear form of the western part of the village. In this instance the inspector concluded that at depth development

would not be harmful as a matter of principle although it is noted the development is adjacent to existing depth development at Blackmores and, in the view of the ESCC Landscape Architect, this argument would not apply to the proposed development.

The ESCC Landscape Architect has also identified concerns that the presence of the access road and screening in Field F would erode its valuable open nature. This is of highly significant concern given the local green space status of Field F, thereby providing a potential direct to refusal of any submitted scheme without the tilted balance being engaged, as per the comments provided in the 'principle' section of this report.

Disregarding Field F as it is shown as entirely allocated as green space in the indicative framework plan, the residential density of a development of 170 dwellings on the site would be approx. 14 dwellings per hectare. This is below the suggested appropriate density of 20-30 dwellings per hectare in village locations set out in LLP1 policy CP2. This target should be seen in context with the objectives contained within the NPPF to ensure land is developed efficiently.

CP2 states that development of lower densities than the target may be justified by the specific character and context of a site. This is consistent with para.128 d) of the NPPF which encourages efficient use of land but requires the desirability of maintaining an area's prevailing character and setting to be taken into account. The site is considered to have specific constraints that warrant development being at a lower density, most notably the proximity to ancient woodland and the need to maintain an appropriate buffer around it, the sensitivity of the setting of the local green space in field F and of the wider rural setting.

It is noted that in the developed parts of the site, spot density would likely be above 30 dwellings per hectare given the way the maintenance of buffers would require the focussing of development into specific areas. For the same reasons that lower overall density of development can be allowed due to site constraints, areas of higher density can also be accepted where they would not compromise the established character of the surrounding environment. As there is existing residential development flanking field D, as well as relatively dense (approx. 31 dph) development nearby to the west on Green Park Corner, it is considered there is some context for higher density development in field D but it is important that density decreases southwards ensuring an appropriate transition between the built environment and the ancient woodland to the south.

In response to the findings of Living with beauty: report of the Building Better, Building Beautiful Commission, published in 2020, the NPPF has been amended to allow for further emphasis on design, landscape impact and place-making. Para. 131 of the NPPF states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.' Para. 132 states that design policies should be 'grounded in an understanding and evaluation of each area's defining characteristics.'. Area-wide, neighbourhood or site-specific design codes or guides are identified as a means to fulfil these objectives. Lewes District Council does not currently have any adopted design code or guide and, in such instances, para. 134 of the NPPF instructs that national documents should be used to guide decisions on applications.

The National Design Guide and National Model Design Code Part 2 Guidance Notes both identify context as an important consideration when looking at how a development would

impact upon the character of an area. Para. 39 of the National Design Code states that well designed places are 'based on a sound understanding of the features of the site and the surrounding context, integrated into their surroundings so they relate well to them, influenced by and influence their context positively and responsive to local history, culture and heritage.' This consideration includes the need to retain the historic context of Wivelsfield Green as a rural village and the cumulative impact of the proposed scheme with other recently approved major housing developments within the village will need to be explored in depth in this regard. The primary concern being the formation of large edge of settlement residential developments and how they will interact and maintain an appropriate subservience towards the historic core of the village.

It is understood that the application for the proposed scheme would be submitted in outline form. It is a prerequisite that an overarching masterplan is agreed for the overall development. This would need to include a design brief and, given the layout of the site, the need to manage densities and retain field boundaries, it is considered that a design approach using a mix of character areas should be adopted. It is recommended that discussions continue with our design specialist as the masterplan/design brief is developed and prior to the submission of reserved matters for each phase of the development. Contact details are provided in the relevant section at the end of this response. Please also note LLP2 policy DM25 (9) which states that applications for major development should demonstrate how the 'Building for Life 12' criteria have been taken into account and would be delivered by the development.

It is expected that any submitted masterplan would be guided by the principles set out in national design code documentation and should also provide a suitable design brief for each phase of the development, to assist with determining reserved matters applications for the various phases of the development and also to ensure overarching standards and characteristics are adhered to across the development. The scale, design and materiality of buildings should be consistent with the traditional vernacular of the surrounding built environment. Buildings should not exceed two-storeys in height. Along with Local Plan design policies, there are also detailed design policies contained within the WNP policy 5 and DSWNP policy CONS2.

Affordable Housing:

The proposal constitutes a major development and, as such, there is a requirement for affordable housing to be provided, at a rate of 40% of the total number of units as per paras. 62 and 64 of the NPPF, policy CP1 of LLP1 and the Lewes District Council Affordable Housing SPD. From the submitted documents, it is understood that the scheme would incorporate 68 affordable units (40% of 170). 25% of the affordable units should be provided as 'First Homes' as per the Written Ministerial Statement on Affordable Homes Update (24th May 2021).

The dwelling mix should be informed by discussions with the Council's Housing Officers who will be able to identify particular dwelling sizes that are in demand. As with the overall pattern within the district, smaller units (1 and 2 bedrooms) are more heavily in demand than 3 and 4 bed units.

Particular regard should be paid in the design and layout of any scheme to LLP1 policy CP1 (4) which states that affordable housing units will be integrated throughout the development site,

be indistinguishable in design and materials from the market housing on the site and remain affordable in perpetuity.

Residential Amenity

The nearest residential properties to the primary developed area would be those on Green Road and Eastern Road which back onto field E, properties on Green Park Corner to the north/west and Old Wheel Cottage and Woods Cottage which are positioned alongside the bridleway running along the western edge of the site. It is noted that development would be positioned to both sides of Woods Cottage as well as to the rear.

The proposed access road has the potential to impact upon the amenities of residents further along Green Road to the east whilst the opening up of field F to public use may impact upon residents on Hundred Acre Lane to the east.

It is considered that the site has the capacity to support residential development as well as to incorporate suitable mitigation measures to reduce impact upon neighbouring residents, particularly through the enhancement of the existing field boundaries through gapping up hedgerow and providing green buffers, allowing for sufficient distance and screening between the proposed dwellings and existing dwellings to prevent intrusive views, overshadowing or an unacceptably overbearing relationship.

At this stage it is not possible to comment further due to the conceptual nature of the submitted plans save to the importance that the design and layout of any submitted scheme is sympathetic to neighbours, that the scale of buildings is comparable to neighbouring dwellings and that roads and parking areas are kept away from site boundaries.

Living Standards for Future Occupants:

All units would be required to meet the minimum Gross Internal Area (GIA) standards set out within the DCLG's Technical housing standards – nationally described space standard (2015). This would also apply to individual room sized. Awkwardly shaped rooms and overly long corridors are avoided ensuring that the floorspace of each unit is functional and adaptable.

All units, including flats, must benefit from private outdoor amenity space in the form of gardens (potentially balconies or terraces for flats). These areas must be a suitable size to meet the day-to-day amenity needs of the household size that they would serve. Landscaping, either hard, soft or a mixture of both must be used to provide defensible space for any ground floor windows or terraces that directly abut public areas. Any submitted plans should demonstrate how recommendations set out in 'Building for Life 12' would be delivered.

The layout of the development should provide a high quality living environment which prioritises pedestrians rather than motor vehicles, avoids secluded or heavily overshadowed areas and where individual dwellings are not subject to any unacceptable sense of overbearing or overlooking. All dwellings should engage well with the street as well as with one another.

Policy DM16 of the Lewes District Local Plan part 2 (LLP2) require children's play space to be incorporated into all developments of 20 dwellings or more. The amount of play space to be provided is based on the anticipated population of a development this can be established in the lead up to the application in discussions with the Councils 'Green Consultancy Department'.

This space would need to be integral to the development rather than provided off-site using s106 or CIL contributions. The play space would need to benefit from natural surveillance from surrounding buildings and public areas, be accessible and provide facilities for a range of ages as well as seating for adults. Formal play space is not a substitute for informal green space areas which would also need to be incorporated into the scheme.

Notwithstanding on-site provision, it is likely that the proposed development would result in increased usage of the existing recreation ground adjacent to the village hall to the west and it is likely that a contribution towards the improvement and enhancement of the recreation ground would be required and justified given the benefit that it would provide to future residents and the additional demands this may place upon the recreation ground in terms of maintenance and the facilities it provides. Landscaping should be used to provide an attractive green environment within development areas for visual amenity and biodiversity purposes as well as to provide shading/cooling.

It is considered important that any submitted application includes details of how suitable acoustic conditions would be secured inside buildings as well as within outdoor amenity areas. As well as being in the interest of providing suitable living conditions this would also be important to provide assurance that the residential use of the site would not threaten the operations of neighbouring businesses and services, including farming and forestry, through exposure to noise complaints, noting the 'agent of change' principle set out in para. 187 of the NPPF.

Highways and Parking:

The submitted Indicative Framework Plan shows the main vehicular access to the site being provided from Green Road. This is consistent with the assessments made in the LAA that access from Green Road is preferred to the use of Eastern Road as this would entail highway widening works that may impact upon its existing character as well as additional traffic that may detract from the amenities of neighbouring residents. It is noted that the proposed access would cross the bridleway that bisects the site and this crossing would need to be sensitively managed so that the bridleway remains safe for use by pedestrians, cyclists and horse riders and that the course of the bridleway is not overly suburbanised.

It is noted that a potential access is shown on Eastern Road. A non-motorised access here would be supported as a means to improve the permeability of the development and allow future occupants easier access to the western side of the village, with interconnectivity regarded as a key attribute of good design.

The proposed development would need to incorporate suitable parking and turning space, whilst ensuring the internal environment of the development is not dominated by cars, that pedestrians and cyclists are given priority and that the use of sustainable modes of transport is encouraged. It is also important that the functionality of the existing public right of way network

is not compromised and that opportunities are taken to increase connectivity in the surrounding public right of way network.

The formation of cycle links between the site and neighbouring development, as well as the surrounding highway network, is encouraged and it should be noted that a scheme of the size proposed would meet the threshold for a statutory consultation with Active Travel England.

The comments above are general and are based on my experience as a planner rather than a detailed knowledge of highways considerations. It is therefore strongly recommended that pre-application advice is sought from ESCC Highways in order to inform parking and access arrangements for any development submitted. Key considerations would include the suitability and functionality of the proposed access as well as the impact the additional traffic associate with the development would have on the surrounding highway network, with particular attention drawn to impact upon traffic on the B2112 Ditchling Road, including waiting times at the mini-roundabout where the B2112 meets Green Road. Please see <https://www.eastsussex.gov.uk/planning/roads/planning-applications> for more information.

Drainage:

The site is currently entirely permeable and any development will therefore increase the impermeable area. Whilst not within a flood zone there are a number of watercourses on and around the site. The watercourse running along the southern boundary of field E issues within the site, close to the bridleway and there a number of other small streams that issue nearby. Some nearby dwellings have wells within their curtilage and, along with the issuing streams, this may suggest high groundwater levels in the locality. It is also noted that there is a vulnerability to surface water flooding on parts of the site, suggesting overland flows towards watercourses.



Details must be provided with any subsequent application to confirm that surface water discharge can be managed at an acceptable rate (no higher than greenfield run-off rate as far as is practicable) and without resulting in increased risk of surface water flooding either within the site or on surrounding land and the highway. A sustainable drainage system would need to

be incorporated, following the hierarchy set out in para. 080 of the Planning Practice Guidance for Flood Risk and Coastal Change, this being: -

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The submitted indicative framework plan suggests that ponds and swales would be used to attenuate and direct surface water flows, prior to release into surrounding water courses. It should be noted that If surface water is to be discharged into watercourses, then details will need to be provided to ensure they have sufficient capacity, that discharge rates will be appropriately controlled and that the ecologically value of the watercourses would not be compromised. Regard should also be paid to potential presence of contaminants on site given its historic agricultural use. It should also be noted that high groundwater levels may impact on the use of any below ground infiltration. The drainage design would need to account for the 45% increase in rainfall events predicted as a consequence of climate change.

Any drainage details submitted with the application should include details of management and maintenance arrangements to ensure the drainage system would continue to function effectively over the lifetime of the development.

Water efficiency measures and rainwater harvesting equipment must be incorporated. Hard landscaping must include permeable surfaces wherever feasible in order to assist with site drainage. The possibility to provide green roofing where feasible could also increase drainage capacity within the development.

The advice above is general and based on my experience as a planner rather than a detailed technical understanding of drainage matters. It is therefore strongly recommended that the Lead Local Flood Authority are contacted for pre-application advice in this regard, please see <https://www.eastsussex.gov.uk/environment/flooding/sustainable-drainage-systems>

Heritage Assets:

The closest heritage assets to the site are the Grade II Listed 'Jenners' which is broadly opposite the proposed site access on Green Road, and the Grade II Listed Jack of Clubs Cottage which is at the end of Eastern Road, to the west of the site. There are other Grade II Listed buildings nearby at 'Baldings' on Slugwash Lane and 'Botches' on Green Road.

It is considered that there is some potential for harmful impact upon the setting of Jenners should Green Road need widening around the site access given the rural outlook that currently defines its setting. For similar reasons, the presence of relatively dense The impact upon these heritage assets would need to be fully assessed as part of any submitted planning application.

The site does not fall within an Archaeological Notification Area but, given the scale of the development, any submitted application should be accompanied by an up-to-date desk-based archaeological impact assessment that draws together previous research & fieldwork (planning & non-planning) within the surrounding area.

Biodiversity:

Based on mapping my NatureSpace, the majority of the site falls within a red impact risk zone, indicating highly suitable habitat – the most important areas for great crested newts. It is noted that there are a number of ponds nearby that may support great crested newts and, therefore, any submitted application would need to be accompanied by survey work and details of mitigation and avoidance measures in relation to impact upon them. This survey work should form part of a detailed Preliminary Ecological Appraisal that will assess the potential impacts of the development upon ecology and make recommendations on how biodiversity on the site can be protected and enhanced.

As a major development, any subsequent planning application must demonstrate that the scheme would support a minimum 10% biodiversity net gain in accordance with mandatory requirements set out in the amendments to the Town and Country Planning Act made by the Environment Act (2021).

The Council expects that biodiversity will be measured using the DEFRA Biodiversity Metric, in line with Planning Practice Guidance, and that this is used to demonstrate that a biodiversity net gain outcome is being achieved.

If there is no feasible way to deliver 10% BNG on site a sequential approach should be followed whereby the maximum feasible level of BNG is provided on site. Any additional off site works would be secured by way of a section 106 agreement with the preference for local sites to be used and for BNG to be achieved through creation of habitat similar to that which has been lost.

The provision of suitable amenity space away from sensitive areas is important in order to reduce recreational pressure upon ecology, biodiversity, and the landscape itself. Site landscaping should focus on native species, including within developed parts of the site.

The submitted indicative framework plan suggests that the existing hedgerow around each of the fields would be largely retained, with existing openings utilised to facilitate access where possible. It is vital that hedgerow is preserved and enhanced and that connectivity with the ancient woodland and to the wider hedgerow network is maintained. Fragmentation of the hedgerow network would have a significant detrimental impact upon ecology.

The buffers provided around the ancient woodland are crucial in order to protect its integrity. Natural measures should be used to discourage pets from entering the woodland as well as members of the public, who should be encouraged to keep to the public rights of way when passing through the woodland. External lighting should be kept to a minimum across the site as a whole, with strict controls in place to prevent light spillage into the woodland and the wider surrounding countryside. It should be noted that development which would result in the loss or deterioration of ancient woodland, where the local planning authority considers that potential adverse impacts cannot be mitigated would need to be referred to the Secretary of State if recommended for approval, as per The Town and Country Planning (Consultation) (England) Direction 2024.

Based on government mapping data, the site does not fall within a SSSI impact zone that would require a statutory response from Natural England for applications involving residential development.

Green Infrastructure:

The retention and enhancement of green infrastructure is a crucial component of sustainable development and good design as per para. 96 and 192 of the NPPF, LLP1 policy CP8, WNP policy 6 and DSWNP policy CONS12.

There is a significant amount of high quality green infrastructure currently in place within and around the site, including local green space, public rights of way, ancient woodland, the hedgerow network and open green spaces. Any development should work with these features, utilising them to the benefit of the wider community whilst retaining and enhancing their quality, functionality and habitat value. It is noted that the indicative framework plan includes footpaths connecting with the public rights of way network and this is encouraged. There is potential for the local green space to be enhanced through opening up to the community provided this is done responsibly and its core qualities of defining the setting of the village are not compromised.

Sustainability:

The site is considered to be in a relatively sustainable location with shops nearby that could serve the day to day needs of occupants along with recreation and community facilities, including a primary school which the proposed scheme may include an option for the expansion of. Haywards Heath, identified as a secondary regional centre in the settlement hierarchy contained within LLP1, and Burgess Hill, identified as a district centre in the same hierarchy, are approx. 5km by road to the north and west respectively. These towns provide main line rail connections, employment and shopping facilities as well as services and community infrastructure. There are bus connections from the village to these towns, with bus stops being located close to the proposed development site, although it is noted that services are not overly frequent and, as such, there would be some reliance on the private motor vehicle.

Any application submitted must be accompanied by a completed sustainability checklist as set out in the Sustainability in Development and Circular Economy TAN's. The scheme must follow a hierarchy of either being delivered as zero carbon, carbon neutral or seek to limit the production of CO² to the minimum level possible.

Loss of Agricultural Land:

LLP2 policy DM19 states that 'development that would result in the irreversible loss of the best and most versatile agricultural land (Grades 1, 2, 3a in the DEFRA Agricultural Land

Classification System) will not be permitted unless it can be demonstrated that there are no suitable alternative locations and the proposal would have overriding sustainability benefits that outweigh the loss of land from agricultural use.’ The proposed scheme would involve the loss of agricultural land and, therefore, further information on the quality of the land would need to be provided.

Mapping provided by Natural England (10-111g) suggests that the site occupies land that has an agricultural land classification of grade 3, the map does not differentiate between 3a and 3b land. It is important to note that this mapping is on a macro scale and is therefore only represents a very broad assessment. It is critical that any planning application is accompanied by a thorough agricultural land classification survey that complies with Agricultural Land Classification of England and Wales: Revised criteria for grading the quality of agricultural land (ALC011) produced by the Ministry of Agriculture, Fisheries and Food in 1988.

Should the survey find that the site provides high grade land then it is vital that assurances is provided that the site selection process explored the potential for the development to be accommodated in sites with a lower grading. The sustainability benefits of the scheme would be afforded appropriate weight as per LLP2 policy DM19.

Environmental Impact:

The proposed development would generate air emissions, primarily in the form of traffic associated with the use. It is important that any submitted application is accompanied by an Air Quality Assessment to include details of potential impacts upon air quality (including in the construction phase) and mitigation measures that would be employed to control these impacts to an acceptable level.

Based on the historic agricultural use of the land, there is a likelihood that there are contaminants on site and it is important that any submitted application is accompanied by suitable contamination risk assessments including details of how contaminants would be managed, remediation measures and a method for verifying that these remediation measures will have taken place prior to the first occupation of the development.

Infrastructure:

The ESCC School Organisation Plan (2023-2027) states that despite its expansion in 2017/18, Wivelsfield Primary School is already full, and its Published Admission Number (PAN) was exceeded in 2022/23. It is not currently forecast to be exceeded again, but recent new housing at Wivelsfield Green and either side of the East Sussex / West Sussex Border in Hayward’s Heath and Burgess Hill is likely to place additional pressure on places over the short to medium term. It is therefore considered that the proposed development has the potential to put pressure on school capacity and that, as a result, funding to provide additional school places may need to be secured as part of a section 106 agreement.

Any submitted scheme should include a detailed assessment of potential impact upon education and health facilities along with recommendations to mitigate any identified pressure that the development would produce. It is noted that Wivelsfield Green is close to the county boundary with West Sussex and that, due to being in East Sussex, residents are generally unable to access services provided by WSCC. This should also be addressed in the report.

Planning Obligations:

All residential development (including flats) is regarded as chargeable development as per the Council's Community Infrastructure Levy (CIL) Charging Schedule. However, social housing is exempt from CIL liability.

A Section 106 notice would be required to secure the following:-

- Delivery of 40% affordable housing provision (with 25% of this total being provided as First Homes)
- Highway improvement works, travel plan, bus cycle and footpath infrastructure works (full details to be provided by ESCC);
- Local Equipped Areas of Play (LEAP) and contributions to maintenance and enhancement of the nearby Wivelsfield Recreation Ground;
- Biodiversity works including a long term Landscape and Ecological Management Plan (LEMP);
- Potential contributions to fund additional school spaces, based on outcome of consultations with ESCC;

This list is not exhaustive and other contributions may be required subject to consultee responses provided at the application determination stage.

Community Engagement:

The proposed development would impact upon land within three adjoining parishes, Wivelsfield, Westmeston and Ditchling. Any submitted application must be supported by details of community engagement in each of these parishes, including a comprehensive consultation exercise. Areas of concerns raised in these processes must be identified and information on how these concerns would be addressed provided within the plans and supporting documents. Information on how any ideas/suggestions made by the community would be incorporated must also be included.

Wivelsfield has a Neighbourhood Plan whilst Ditchling and Westmeston (along with the nearby settlement of Streat) share one. Relevant policies from each plan are listed in the schedule below. The Ditchling, Streat and Westmeston Neighbourhood Plan also contains a number of community aspirations, set out in part B, and these should be addressed in any submitted scheme. Aspiration HSG 9 indicates an intention to produce a Village Design Statement but no such document has been produced to date.

Determination of Application:

Please note that, as of 8th May 2024, Lewes District Council has been placed under special measures in respect of applications for planning permission for major development under Section 62A of the Town and Country Planning Act 1990. This arrangement will continue indefinitely but is likely to be in place for at least a year. Any applicant submitting a major application during this period would have the option to instruct that the application be determined by the Planning Inspectorate. Lewes District Council are still able to determine major applications if the applicant wishes them to.

Conclusion:

There is some potential for development of the site, at least in part, given the current shortfall in housing land supply in the District, although significant concerns regarding impact upon the character of the surrounding landscape and the village itself (which require further comments from the ESCC landscape architect), infrastructure, agricultural land loss and biodiversity would need to be comprehensively addressed. It is imperative that the functionality and quality of the local green space is preserved and enhanced, noting the comments of the ESCC Landscape Architect. This report contains a number of recommendations and requirements that will also need to be addressed.

Potential harm to the character of the local open green space may provide a direct path to refusal of the scheme as per para. 11 d) i) of the NPPF, given that this area is regarded as an area of particular importance, as confirmed in footnote 7.

Should the planning balance be engaged then the submitted documents identify potential for significant harm upon the local landscape character as well as the character and settlement pattern of the village has been identified in the assessment carried out and this would be carry appropriate negative weight in the planning balance.

Highway and drainage matters are a fundamental consideration and it is strongly recommended that advice is sought from ESCC on these matters, using their pre-application advice services.

I trust this advice is useful I am happy to answer any questions that may come up in response.

Yours sincerely

James Smith
Principal Planner
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List of Relevant Planning Policies and Supplementary Documents:

National Planning Policy Framework (NPPF)

- 2 – Achieving sustainable development

- 4 – Decision making
- 5 – Delivering a sufficient supply of homes
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 – Achieving well-designed and beautiful places
- 13 – Protecting Green Belt land
- 14 – Meeting the challenge of climate change, flooding, and coastal change
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

Lewes Local Plan Part 1 (LLP1) – See

<https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/257159.pdf>

- CP1-Affordable Housing
- CP2-Housing Type, Mix and Density
- CP7-Infrastructure
- CP8-Green Infrastructure
- CP9-Air Quality
- CP10-Natural Environment and Landscape
- CP11-Built and Historic Environment & Design
- CP12-Flood Risk, Coastal Erosion & Drainage
- CP13-Sustainable Travel
- CP14-Renewable and Low Carbon Energy

Lewes District Local Plan Part 2 (LLP2) – See

<https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/287648.pdf>

- DM1-Planning Boundary

- DM14-Multi-functional Green Infrastructure
- DM15-Provision for Outdoor Playing Space
- DM20-Pollution Management
- DM22-Water Resources and Water Quality
- DM23-Noise
- DM24-Protection of Biodiversity and Geodiversity
- DM25-Design
- DM27-Landscape Design
- DM33-Heritage Assets
- DM35-Footpath, Cycle and Bridleway Network

Wivelsfield Neighbourhood Plan (WNP) –

https://www.lewes-eastbourne.gov.uk/media/3275/Wivelsfield-Adopted-Neighbourhood-Plan/pdf/Wivelsfield_Adopted_Neighbourhood_Plan.pdf?m=1690049387317

- 1 – A Spatial Plan for the Parish
- 3 – Education
- 5 – Design
- 6 – Green Infrastructure & Biodiversity
- 7 – Local Green Spaces

Ditchling, Streat and Westmeston Neighbourhood Plan (DSWNP) –

https://www.lewes-eastbourne.gov.uk/media/3091/Adopted-Ditchling-Streat-and-Westmeston-Neighbourhood-Plan/pdf/Adopted_Ditchling_Streat_and_Westmeston_Neighbourhood_Plan.pdf?m=1689871996873

- DS1 – Development strategy
- HSG1 – Set out & apply acceptance criteria to housing applications
- HSG2 – Site density and layout
- HSG5 – Ensure Infrastructure capacity
- TRANS1 – Provide off-street car parking

- TRANS2 – Carry out traffic calming adjacent to housing developments
- CONS2 – Set standards for design of new development
- CONS3 – Protect heritage assets
- CONS6 – Conserve landscape and important views
- CONS8 – Preserve dark night skies
- CONS9 – Protect & enhance habitats and biodiversity
- CONS12 – Safeguard and enhance green infrastructure
- CONS13 – Protect and enhance links to the countryside

Supplementary Planning Documents – See

<https://www.lewes-eastbourne.gov.uk/planning-policy/supplementary-planning-guidance-and-supplementary-planning-documents/>

- Sustainability in Development Technical Advice Note
- Circular Economy Technical Advice Note
- Biodiversity Net Gain Technical Advice Note

Other documents to be aware of:

- Environment Act 2021 - <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>
- DEFRA Biodiversity Metric - <http://publications.naturalengland.org.uk/publication/6049804846366720>
- Guide to Sustainable Drainage Systems in East Sussex - <https://new.eastsussex.gov.uk/media/1qgio4mx/guide-to-sustainable-drainage-systems-in-east-sussex2.pdf>
- Secured by Design Guidance - https://www.securedbydesign.com/images/HOMES_GUIDE_2023_web.pdf
- Air quality and emissions mitigation guidance for Sussex - <https://sussex-air.net/Reports/SussexAQGuidanceV.12020.pdf>
- ESCC Highways Guidance - <https://www.eastsussex.gov.uk/planning/roads/planning-applications/guidance>

Application Documents Required:

- Design & Access Statement;
- Affordable Housing Statement
- Planning Statement;
- Statement of Community Involvement;
- Ecological Impact Assessment/Preliminary Ecological Appraisal;
- Tree Survey/Arboricultural Statement;
- Landscape and Visual Impact Assessment (scope to be agree with ESCC Landscape Architect);
- Landscaping Details;
- Topographical Survey;
- Transport Assessment;
- Road Safety Audit;
- Photographs/Photomontages;
- Noise Impact Assessment;
- Infrastructure Impact Assessment;
- Land Contamination Assessment
- Soil Assessment (Agricultural Land Classification)
- Biodiversity Checklist (please see Technical Advice Note on Biodiversity Net Gain for further details);
- Site Waste Management Plan;
- Construction and Environmental Management Plan;
- Major Development Sustainability Checklist (please see Technical Advice Note on Sustainability in Development for further details);
- Air Quality Statement;
- Flood Risk/Drainage Assessment;
- Archaeological Desk-Based Assessment/Field Evaluation

- Heritage Statement
- Health Impact Assessment

Useful Contacts:

ESCC Ecologist – ecology@eastsussex.gov.uk

ESCC Landscape Architect – virginia.pullan@eastsussex.gov.uk

ESCC Drainage – suds@eastsussex.gov.uk

ESCC Archaeology – county.archaeology@eastsussex.gov.uk

LDC Affordable Housing Officer – oliver.jones@lewes-eastbourne.gov.uk

LDC Air Quality Officer – rachel.sadler@lewes-eastbourne.gov.uk

LDC Contaminated Land Officer – kanan.purkayastha@lewes-eastbourne.gov.uk

Secured by Design - phillip.edwards@sussex.pnn.police.uk

Wivelsfield Parish Council – clerk@wivelsfield.org.uk

Westmeston Parish Council – <https://www.westmeston.org.uk/feedback>

Ditchling Parish Council – parishoffice@ditchling-pc.gov.uk