

Freddy Thomas

Our Ref: SDNP/19/03871/PRE  
Contact Officer: Nat Belderson  
Tel. No.: 01730 814810

22 October 2019

Dear Freddy Thomas

### **PRE-APPLICATION ADVICE**

**Proposal:** Senior Co-Living project comprising of 14 new single-storey, 2-bedroom homes  
**Site Address:** Land South of, Kingsmead Close, Bramber, Steyning, West Sussex

Thank you for your correspondence received 8 August 2019 seeking pre-application advice.

#### **Executive Summary**

If an application were to be submitted, the proposals are unlikely to accord with strategic policy SD25 on the basis that the site is within designated countryside. Furthermore, concerns are raised about the site's development in regard to the impact upon the character of both the settlement (such as its settlement pattern and setting within the landscape) and the immediate and wider landscape character, which its conservation and enhancement should be afforded great weight in decision making.

The Authority is unconvinced that the proposals would constitute an affordable housing scheme in regard to policy and the National Planning Policy Framework given that whilst they would be sold at 80% market value they would nevertheless still be open market dwellings. Were an alternative tenure to be proposed, the scheme would need to accord with SD29. However, given the principle concerns both in policy (SD25) and the considerations regarding impacts an alternative tenure that may meet identified local need is unlikely to outweigh these overriding concerns.

#### **Planning Policy**

##### **Bramber Neighbourhood Plan (2018 - 2031) - Regulation 14 Pre-Submission Consultation Draft**

Please note this Neighbourhood Plan is currently in draft form (pre-submission). Draft policies will be afforded greater weight as the Plan progresses, but at present it is afforded limited weight in decision making.

Policy BI of the Draft Neighbourhood Plan defines a settlement policy boundary (described as a "Built up Area Boundary" or BUAB) for the part of Steyning within Bramber Parish. The site is outside of, but adjacent to, the BUAB. The draft policy seeks to focus development within the BUAB, and development proposals outside of the BUAB will not be supported unless certain criteria are met, the most relevant in this case being:

*"(a) it is in accordance with ....the policies of the South Downs Local Plan, in respect of appropriate uses in the countryside; or the development preserves or enhances the character or appearance of the area"; and  
"(d) it is on sites allocated for those uses in ....the South Downs Local Plan."*

The draft policy also states that proposals should make the best use of suitable brownfield land, where available, before greenfield land is released for development. The site is considered to be a greenfield site.

Policy B6 (Green Infrastructure) of the Draft Neighbourhood Plan identifies the site as a Priority Habitat (Deciduous Woodland) in Figures 7.1 and 14.2. Proposals should be designed from inception to create, conserve, enhance and manage green spaces and connective chains of green infrastructure, with the aim of delivering a net environmental benefit.

Policy B9 (Protection of Locally Significant Views) of the Draft Neighbourhood Plan includes potential views toward the site from a number of protected viewpoints - possibly including views 7, 9, 10 and 11. In particular the existing woodland canopy on the site is of value when looking towards the settlement from View 9 from the South Downs Way on Beeding Hill, and loss of this canopy or glimpses of development on the site would have a negative effect upon the landscape and setting of the village within it.

The site was assessed for possible inclusion as an allocation within the Neighbourhood Plan but rejected on the basis of landscape character, visual amenity and the value of the woodland.

### **South Downs Local Plan 2014-2033**

A full list of relevant policies is provided in Appendix I. Of particular relevance are the following:

Strategic Policy SD25 (Development Strategy) sets out the criteria for considering exceptional development outside of Settlement Policy Boundaries in Section 2 as follows:

*"Exceptionally, development will be permitted outside of settlement boundaries, where it complies with relevant policies in this Local Plan, responds to the context of the relevant broad area or river corridor, and:*  
*a) It is allocated for development or safeguarded for the use proposed as part of the Development Plan; or*  
*b) There is an essential need for a countryside location; or*  
*c) In the case of community infrastructure, there is a proven need for the development that demonstrably cannot be met elsewhere; or*  
*d) It is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park."*

The site is not considered to meet the criteria as:

- it is not an allocated site for housing in the Local Plan or the emerging Neighbourhood Plan;
- an essential need for a countryside location has not been established;
- it is not considered to be delivering community infrastructure (this is notably aspects such as health, education and recreation facilities), and;
- the site would not be classified as previously developed land.

Strategic Policy SD29 (Rural Exception Sites) allows for provision of 100% affordable housing outside of settlement policy boundaries, providing certain criteria are met:

*"a) Affordable housing is provided in perpetuity;*  
*b) The site selection process has considered all reasonable options, and the most suitable available site in terms of landscape, ecosystem services and overall sustainability has been chosen;*  
*c) The scale and location relates well to the existing settlement and landscape character; and*  
*d) It is shown that effective community engagement has fed into the design, layout and types of dwellings proposed."*

Consultees have raised strong concerns regarding the impact upon the settlement character and

immediate and wider landscape character. On the basis of their advice, which is supported, it is unlikely to meet criterion (c) of the Policy. In addition, an application would be expected to be accompanied by detailed site selection and community consultation evidence in order to meet criteria (b) and (d).

Section 2 of Policy SD29 requires the size and tenure of properties to be based on a robust and up to date evidence of local community need. Strategic Policy SD27 (Mix of Homes) sets out the balanced mixture of dwelling sizes that would normally be sought on a site and a proposal for 2-bed only properties would not accord with this mix. The policies do allow for an alternative mix if there is robust evidence of a local need, and the supporting text of SD27 also acknowledges the importance of providing smaller dwellings for older people. An application would therefore need to be accompanied by a full justification for the size and tenure mix and type of dwellings proposed, although this is unlikely to overcome the concerns about the principle of development on this site. Full justification would also need to be provided if warden's living accommodation were to be pursued as part of the scheme. In any event, given the concern regarding the impact of development on this site in principle, this commentary about SD29 and SD27 is provided as wider advice for your consideration.

### **Planning Assessment**

The following planning history has been identified as relating to the site:

BM/6/68 - Erection of eleven detached bungalows with garage - Application refused.

BM/15/85 - Erection of 9 houses and 2 chalet dwellings (outline) - Application refused, appeal dismissed.

DC/10/1283 - Erection of 3 (2-storey x 5-bed) houses (Outline Planning Permission with some Reserved Matters) - Application refused.

DC/11/1480 - Erection of 3 (2-storey x 5-bed) houses (Outline Planning Permission with some Reserved Matters) - Application refused, appeal dismissed.

DC/11/2592 - Creation of a dropped kerb and access to the end of Kingsmead Close (Certificate of Lawful Development - Proposed) - Certificate granted.

SDNP/14/01328/PRE - Erection of new house on the site for owners use - Pre-application advice provided.

As has been set out in the "Planning Policy" section, the scheme would not accord with Strategic Policy SD25 on the basis that the site is outside of a defined settlement policy boundary and therefore within designated countryside. Strategic Policy SD29 allows for "exception" sites of 100% affordable housing, but meeting this policy by proposing such a scheme would not be sufficient to overcome the in principle objection to the development of this site. The proposals outline that the scheme would be affordable, however, concern is raised about whether this is truly an affordable scheme in the context of SD29 and the definitions of affordable housing as outlined in the NPPF 2019. Whilst the proposals have been put forward as being 80% market value, in regard to tenure they would still be open market dwellings.

If you decide to progress an application on the basis of an affordable housing scheme, I can offer the following general advice that it would need to be accompanied by evidence of a detailed site selection process across the village and be community led, as outlined in SD29. These are usually community-led and would be expected to assess a number of potential site options. A thorough site search is particularly important for a host settlement such as Steyning (which is located outside of the National Park) if the resultant preferred site is within the National Park, given the sensitivities of developing in a nationally protected landscape. Evidence of effective community engagement and detailed evidence of a local need for the size and type of tenure would also need to be provided to justify the delivery of a single size of dwelling, with none available for affordable rent.

Policy SD29 requires the scale and location of an exception site to relate well to the existing settlement and landscape character. This links in with a number of other relevant policies in the Local Plan - including SD4 (Landscape Character), SD5 (Design), and SD6 (Safeguarding Views), as well as the emerging Neighbourhood Plan Policy B9 (Protection of Locally Significant Views). The site has been assessed a number of times both in relation to planning applications and policy allocations, and on each

occasion it has not been considered appropriate for development. Concerns have related to the impacts of incremental development on Steyning's origins as a springline village - which are traditionally nucleated settlements at the foot of the scarp. In addition, the presence of woodland (subject to a Tree Preservation Order) on this site and surrounding areas is very important both in terms of local landscape character and screening much of the more modern expansion from view. Development of this site would not conserve or enhance the landscape character (irrespective of whether it can be seen), but loss or reduction of the tree canopy would also have the potential to affect key views towards the site - potentially including from the South Downs Way near Beeding Hill (a viewpoint identified as important in the emerging Beeding Neighbourhood Plan). As you will be aware, the site has also been removed from the Neighbourhood Development Plan as a potential allocation for a multitude of reasons including these considerations.

The trees and biodiversity value of the site would also be an important consideration. Relevant Local Plan policies include SD9 (Biodiversity and Geodiversity) and SD11 (Trees, Woodlands and Hedgerows), with Core Policy SD2 (Ecosystems Services) seeking an overall positive impact on the ability of the natural environment to contribute goods and services. Emerging Neighbourhood Plan Policy B6 (Green Infrastructure) also identifies the site as a Priority Habitat. The submitted details propose an overall increase in the number of trees, but there is insufficient evidence to confirm that the development (notably construction of the houses and roads) would not harm retained trees, which are important to local landscape character. In addition, the limitations on the ability to use garden land, and extent of shading caused by the woodland canopy will inevitably lead to pressure to remove further trees in the future - and this was a key concern for the Inspector at an appeal on the site in 2012.

Although it is acknowledged that the layout is described as being informed by the landscape and existing trees, concerns have been raised by the Design Officer as it does not take a lead from the best examples of local settlement pattern. The buildings would be of a single storey which would again not pick up on the best examples of local character, but which would be more appropriate for the intended elderly occupiers and would assist in reducing the impact of views toward development in the site. The intended design is described as a contemporary vernacular style - which would not necessarily be inappropriate if the principle of developing the site were considered acceptable.

It is noted that the Applicant has offered to amend the proposals to best meet the Planning Authority's requirements. However, a reduction in the quantum of development is unlikely to overcome the fundamental concerns about development of the site in regard to policy SD25 considerations concerning the principle of development. It should be borne in mind that previous proposals for smaller schemes on the site have been refused (including appeal dismissals in 1985 and 2012). Most recently, a previous owner in 2014 submitted a pre-application request for a single dwelling on the site, but was still advised that even a single dwelling would result in the diminution of the character of the area and would comprise the cohesive structure of the woodland. Consequently, the SDNPA would not advise that a smaller number of dwellings would be more acceptable. Similarly, whilst the Design Officer has raised concerns about the proposed layout, the SDNPA would not suggest an alternative layout, given the in-principle concerns about developing the site.

## **Consultations**

WSCC Highways - The County Highways response sets out their standard guidance, along with a list of the documentation that would be required to be submitted with an application.

County Archaeologist - The draft Design & Access Statement refers to an archaeological report that showed nothing of interest on the site. This report and other supporting documentation has not been included. There is good potential for unrecorded archaeological features on the site and further in depth work is required. It has been recommended that an application be accompanied by a Heritage Statement (prepared to meet minimum ClfA standards) setting out the nature of the archaeological potential of the site, the impact previous development may have had upon that potential and the impact on that potential of any future development proposals. A detailed mitigation strategy should also be included.

Senior Ecologist - The site supports habitats of value to protected species such as reptiles. A future application should be supported by an ecological assessment. This should include an assessment of the potential for the site to support protected species and the requirement for additional surveys. All survey work should be carried out to recognised standards, unless otherwise fully justified by the ecological consultant. The survey report should include results of the surveys. The report should also include an assessment of the impacts the development will have on protected species (if present) and if required, details of mitigation measures to enable their protection.

Whilst it is understood that the majority of the trees on site will be retained and managed, in accordance with the NPPF, a net gain in biodiversity is required.

Principal Environmental Health Officer - Given the presence of construction waste materials, appropriate evaluation of the risks and any other potentially contaminative uses is required. It is recommended that a preliminary risk assessment is undertaken which identifies all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site.

Landscape Officer - Development of this site would illicit a landscape objection. The site lies within the Arun to Adur Scarp Footslopes Landscape Character Area. The scarp footslopes is a deeply rural landscape with spring-line villages all the way along the geological junction at their base.

The historic port of Steyning is identified as a sensitivity affecting this landscape, and Steyning is a characteristic nucleated, spring-line village - one of many along the scarp footslopes so typical of and important to the landscape character of the South Downs.

The whole site is covered by a blanket TPO, and this part of Steyning settlement edge is characterised by its wooded or tree-edged boundary. Along with being highly characteristic, this network of mature trees provide important local ecological connections.

Strong concerns were also recently raised by the Landscape Officer when the site was being considered for allocation in the Bramber Neighbourhood Development Plan and these comments are maintained.

Senior Planning Policy Officer - Notwithstanding the landscape concerns, I have considered the principle of development. The proposal does not meet the criteria for exceptional development outside settlement boundaries (Policy SD25 section 2) as it is not allocated in the Local Plan or NDP (2a), nor does it require a countryside location (2b), it is not community infrastructure (2c) and is not a previously developed site (2d). However, it may be considered for a Rural Exception Site and therefore Policy SD29 is relevant. Given the advice provided to date, it seems unlikely the proposal would meet criteria c) the scale and location relates well to the existing settlement and landscape character. In addition further evidence relating to site selection and local housing need would need to be provided in support of a RES proposal.

Design Officer - In design terms, notwithstanding the policy and landscape objections in principle, the layout cannot be described as inspired by the best examples of local settlement pattern. The buildings are squeezed into gaps between retained trees but the result is a forced settlement pattern which, despite different house types, creates a regimented effect (with homes equally spaced) which at odds with the more organic random layout which is likely to be more typical of successful rural settlement in this type of edge of village location.

Although many of the trees are shown as retained, buildings are clearly shown within tree root areas and the very close proximity of the tree crowns to proposed buildings will lead to 'pressure to prune' many of these protected trees.

I will not comment on the materiality proposed because the problems with the design are more fundamental as they relate to layout.

Southern Water - Formal application for connection to the public foul sewer and the public water main

will be required. There are no public surface water sewers located within the vicinity of the site and alternative methods of disposing of surface water should be investigated. It is possible that a sewer now deemed to be public could be crossing the development site. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain ownership.

If you pursue a formal planning application please note that the requirements of the South Downs National Park Authority Local Validation List will apply with regard to the information required to be submitted. Further information is available at <https://www.southdowns.gov.uk/planning/making-an-application/local-validation-list/> .

It would be advisable to contact the Building Control department at your Local Authority to check if building regulation approval is required.

Please note that the advice contained within this letter constitutes an informal Officer's opinion and does not prejudice, nor is binding upon, any future decision taken by the South Downs National Park Authority.

Yours sincerely,

Nat Belderson  
Link Officer (Chichester)  
For and on behalf of South Downs National Park

## **Appendix**

### **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 public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

### **Partnership Management Plan**

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 4
- General Policy 48
- General Policy I
- General Policy 50

### **National Planning Policy Framework (NPPF) and Circular 2010**

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

### **Development Plan**

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

The following policies of the **South Downs Local Plan** are relevant 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 SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Development Management 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 SD29 - Rural Exception Sites
- Strategic Policy SD49 - Flood Risk Management
- Development Management Policy SD50 - Sustainable Drainage Systems
- Development Management Policy SD55 - Contaminated Land
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD16 - Archaeology
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD21 - Public Realm, Highway Design and Public Art
- Strategic Policy SD45 - Green Infrastructure
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources

Other plans considered

- 

End of Document



