

For: Planning Sub-Committee South
Date: 10 December 2009

**WD/2008/2180/MEA - HONEY FARM, EASTBOURNE ROAD,
POLEGATE**

Summary of Proposal

Major Application with Environmental Assessment application for:-
**UP TO 520 DWELLINGS TOGETHER WITH A ONE FORM ENTRY PRIMARY
SCHOOL INCORPORATING COMMUNITY USES, A CONVENIENCE STORE AND
DOCTORS SURGERY**

Received date: 15 October 2008
8/13 week date: 14 January 2009

Parish: Polegate
Ward: Polegate North
Grid Ref: 557340 105263

Recommendation

Planning permission BE REFUSED for the following reasons:-

1. The proposal development of 520 dwellings on this site represents an unacceptable and unjustified form of development on the edge of Polegate, outside of the development boundary identified in the adopted Wealden Local Plan and extending beyond the limits of the defined development boundary for Polegate as shown in the Non Statutory Wealden Local Plan contrary to the provisions of Policies GD2, EN8 and DC17 of the Adopted Wealden Local Plan 1998, Policies DC2, GD2, DC15, PW1 and NE7 of the Non Statutory Wealden Local Plan; Policies CC1, CC6 and SCT1 of the South East Plan 2009 and PPS1, PPS3 and PPS7.
2. It is considered that the omission of the Honey Farm commercial site from the application, which formed an integral part of the land allocation as set out in the Non Statutory Plan, is unacceptable and would be prejudicial to the comprehensive development of the site and appropriate distribution of land-uses contrary to PPS1 and PPS3, Policies CC1 and CC6 of the South East Plan 2009 ; Policies BE1, HG8 and PW1 of the Non Statutory Wealden Local Plan.
3. The development by virtue of its visual prominence, urbanising and incongruous character within the established rural character of the area and associated light pollution would detract significantly from the character and appearance of the registered historic parkland which forms the setting of the Grade II* listed building, Wootton Manor, including views within, to and from the parkland and listed building within its immediate environs and from higher grounds within the Sussex Downs Area of Outstanding Natural Beauty and the designate South Downs National Park, contrary to the requirements of PPS1, PPG15; Policies BE6, C2 and C3 of the South East Plan; Policies EN8, EN9 and EN29 of the Adopted Wealden Local Plan; Policies BE8, BE10, BE15, NE7, NE8, HG8 and PW1 of the Non Statutory Wealden Local Plan.
4. The proposal, by virtue of its scale, height and density represents an overdevelopment of the site which if permitted would result in an undesirable intensification of built form which would be visually intrusive and out of keeping with the established rural character and visual amenity of the area. This spread

of inappropriate development with its high level of urbanism, and light pollution, would detract from the visual amenities of the immediate area, the rural scene and the relationship of the sensitive low lying lands of the Low Weald with the views to and from the Sussex Downs AONB and the designate South Downs National Park and Scheduled Ancient Monuments, thereby adversely affecting the setting of this sensitive landscape contrary to the provisions of PPS1, PPG3 and PPS7; Policies C2 and C3, of the South East Plan; Policies GD2, EN8, EN27 and EN29 of the Adopted Wealden Local Plan; Policies NE7, BE1, BE15 and HG8 of the Non Statutory Wealden Local Plan.

5. The proposed development, if permitted would not accord with national policy objectives concerned with the promotion of thriving, inclusive and sustainable communities having regard to the accessibility of jobs, shops and other services from the application site by modes of transport other than the private car. The site is physically separated from the existing built up areas by the A22 and A27 trunk roads. In the absence of the A22 being detrunked, combined with the Highways Agency requirements for no new accesses to be formed on to this section of the A22, the installation of non climbable barriers to prevent pedestrians crossing at grade with only vehicular access at Cophall roundabout and only pedestrian and cycle access across a bridge would result in the creation of an isolated and segregated community. As a result of its physical severance, the development would be unlikely to deliver the provision of a primary school and community centre because of accessibility issues for residents from the wider surroundings. In the absence of a primary, school, community centre and health centre, the site would constitute an unacceptable satellite residential development contrary to Policies CC1 and CC6 of the South East Plan, Policies EN2 and CS1 of the adopted Wealden Local Plan and Policies HG8, CS1 and PW1 of the Non Statutory Wealden Local Plan and PPS1, PPS3 and PPS12.
6. The proposal does not satisfactorily demonstrate that adequate and appropriate provision can be made to facilitate walking and cycling to and from the site and reduce dependence on the private car, without having a detrimental impact on the landscape and character of existing residential areas and a reduction in the amenity, privacy and safety of both existing residents and future residents of the proposed development. The requirement for non-climbable barriers along the trunk road combined with the proposed pedestrian and cycle bridge, by virtue of its location, scale and design which would result in the loss of existing trees, would have a detrimental impact on the landscape character of the area. The application is therefore contrary to Policy T2 of the South East Plan; Policies EN12, TR3, TR13 and EN2 of the Adopted Wealden Local Plan and Policies NE15, TR1, TR2, HG8 and PW1 of the Non Statutory Wealden Local Plan and PPS1, PPS3 and PPG13.
7. The location of the proposed development which is not well served by public transport and by virtue of its severance from local facilities by the existing trunk roads, is not well connected to local facilities. The development proposal does not adequately provide for travel modes other than by the private motor vehicle and therefore it would conflict with the objectives of the Local Transport Plan 2, Policy T2 of the South East Plan, Policies TR3, TR13 and EN2 of the adopted Wealden Local Plan and Policies TR1, TR2, TR3 HG8 and PW1 of the Non Statutory Wealden Local Plan and PPS1, PPS3 and PPG13.

8. The applicant has failed to demonstrate to the satisfaction of the District Planning Authority that they could secure the proper provision and delivery of the necessary infrastructure improvements, as summarised in the non statutory Wealden Local Plan, to meet the additional demands generated by the proposed development, and to ensure there would be no adverse impacts on the local infrastructure and surrounding highway network, and therefore the proposal is considered contrary to Policy CC7 of the South East Plan, Policy CS1 of the adopted Wealden Local Plan, Policies PW1 and CS1 of the Non Statutory Wealden Local Plan and PPS1 and PPS3.

Reason for Referral

This application is being referred to Planning Sub-Committee South as this is a major application, on part of an allocation site in the Non-Statutory Plan, which is of significant public interest.

Executive Summary

This is an outline application with all matters reserved except for access, for the development of 520 houses together with a one form entry primary school incorporating community uses, a convenience store and doctor's surgery.

The application site forms part of the housing allocation site PW1 as set out in the Wealden Non Statutory Local Plan. However since the allocation of this site there has been new material considerations, namely the issue of the Folkington Link which was strongly interlinked to the sustainable delivery of this proposed housing allocation site which impacts on the acceptability of the principle of development on this site. Also since the allocation of the site, the boundary of the South Downs National Park has been confirmed and Wooton Manor has been added to English Heritage's Register of Parks and Gardens of Historic Interest.

It is recommended that the application is refused on the basis of the unjustified development outside of the development boundary, impact of the development on the landscape and historic environment, the quantum of development and distribution of development, the unacceptable severance of the site from surrounding development, the overall sustainability of the development and the unacceptable impact of the proposed foot and cycle bridge across the A22.

1. Statutory Bodies and Residents - Responses

South East England Regional Assembly (SEERA)

The District Council should grant planning permission only if it is satisfied that:

- release of this greenfield site is necessary, based on up-to-date and robust evidence, and the most appropriate and sustainable location to meet local housing needs and will not prejudice the emerging Core Strategy DPD, particularly in terms of growth aspirations and housing delivery, which should give preference to previously developed land in accordance with Policies Q1 and

For: Planning Sub-Committee South
Date: 10 December 2009

H5 of RPG9 and Policy SP3 of the Secretary of State's Proposed Changes to the draft South East Plan

- the release of this site and level of proposed development ahead of the completion of the 'West of Polegate Trunk Road Improvements' is acceptable.

If the District Council is minded to grant permission, it should address the following, through appropriately worded conditions and/or legal agreements to secure:

- The phasing and delivery of new or improved infrastructure to meet the needs of the development in accordance with Policies CC7 and CC8 of the Proposed Changes to the draft South East Plan;
- An appropriate package of transport infrastructure and other measures including an agreed travel plan to promote alternatives to the car in accordance with Policies T1, T10 and T13 (RPG9 as altered) and T1, T2 and T5 of the Proposed Changes to the draft South East Plan;
- An appropriate level of car and cycle parking to comply with Policy T12 of RPG9 (as altered) and Policy T4 of the Proposed Changes to the draft South East Plan;
- A design relevant to context that promotes a high quality of environment consistent with Policy Q2 of RPG9 and Policies CC6 and BE1 of the Proposed Changes to the draft South East Plan; The incorporation of water and energy efficiency measures and the promotion of renewable energy and sustainable construction in accordance with Policies INF2 and INF4 of RPG9 and Policies CC2, CC3, CC4, NRM11, NRM12, W2 and M1 of the Proposed Changes to the draft South East Plan;
- Mitigation measures in relation to flood risk, air and noise quality and impacts on groundwater, and measures to enhance biodiversity of the site in accordance with Policies NRM1, NRM2, NRM4, NRM9 and NRM10 of the Proposed Changes to the draft South East Plan;
- Ensure an appropriate package of measures to secure the conservation and enhancement of the historic environment in line with Policy BE6 of the Proposed Changes to the draft South East Plan.

ESCC Highway Authority

First Consultation

Preliminary comments as follows:

- Would not support any development here without the Folkington Link Road (FLR) first being in place. Based on the current advice from the HA, it is therefore recommended that the developer is encouraged to withdraw the application at this time. Failing this we would object on highway grounds.
- The possibility of a phased development in advance of the FLR would attract a similar response at this time. The traffic generation could not easily be accommodated on the existing local highway network and the need for sustainable transport links and a viable movement framework would be very difficult to achieve with the existing road infrastructure.
- The HA have indicated an earliest completion of the FLR in 2018. If a fund holder for the scheme could be found in the meantime and the cost reclaimed from development over time this would shed new light on the subject. This financing mechanism has been achieved successfully in other parts of the Country

Second Consultation

OBJECT

The applicants submitted a Transport Assessment (TA) in 2008 in relation to a proposal to construct up to 600 housing units. Following on-going discussions about issues raised by the County Council and the Highways Agency (HA), a draft Interim Travel Plan (ITP) has now been submitted. The HA's interest stems from the principal points of highway access from the development being on to the trunk road network.

The application originally included for the future provision of the A27 Folkington Link, connecting the A27/A22 at Cophall roundabout with the A27 west of Polegate. Since then, the HA's formal position on the Link has become less certain. The application is now framed such that permission for a first phase of up to 520 housing units is being sought with all general highway access to that site via a new connection to Cophall roundabout. Other bus and pedestrian/cycle accesses to the site are also proposed.

The County Council has a number of continuing concerns which are discussed below in turn:

Trip Rates and Distribution

The County Council's initial concerns regarding trip rates and distributions used in the TA have been partially allayed in subsequent discussions with the applicant. The unadjusted (pre-Travel-Plan) trip rates proposed in the draft ITP are acceptable for this site. The use of Polegate census data to determine likely trip distributions is also accepted, although a more focused analysis of similar peripheral sites is required. Partly the result of that, the extent to which the ITP's target changes in trip rates and modal choices are achievable given the measures proposed is not accepted – this is discussed in more detail later.

Highway Access:

It is proposed that all general vehicular access to this first phase of this site will be via a new connection to Cophall roundabout. It is understood that the HA and the applicant have reached agreement on the type of junction and the maximum level of acceptable use of the new link to the development. This has effectively set a limit of 520 housing units as the maximum acceptable development size. It is also understood that the HA is content that the agreed maximum use of the new link to Cophall roundabout is compatible with the additional need to manage highway impacts at those trunk road junctions identified in Policy TR3 of the Wealden Local Plan as being in need of improvement to cater for development in the area, and that the applicant has reached informal agreement with the HA over funding of those improvements. It is unclear at present what those improvements may be in detail and how their implementation, together with the applicant's estimates of trips generated by this site, may impact on other roads for which the County Council is the Highway Authority.

Bus Access:

Sustainable accessibility to the site demands (inter alia) appropriate bus services. The applicant proposes that existing Service 54 be diverted to run through the site and that a new shuttle service to/from Polegate town centre be funded by the development. To achieve effective routing, in addition to access via Cophall roundabout both would require access to &/or from the section of A22 between Cophall roundabout and the A22/A27 signals. The applicant proposes a bus-only access/exit junction on that part of

For: Planning Sub-Committee South
Date: 10 December 2009

the A22. Such a 'bus gate' would require signals for southbound exiting buses, and would 'open up' the potential for direct access from the A22 to the development for pedestrians and cyclists. It is understood that the HA's position is that, on capacity and road safety grounds, they would not approve of bus traffic signals on this heavily trafficked road, and that any potential for direct pedestrian / cyclist access would not be acceptable. The HA's preferred position is for continuous site boundary fencing to deter this. It is also not clear that the proposed diversion of Service 54 from its present route would be acceptable.

Pedestrian/Cycle Access

The application includes a new foot/cycle bridge over the A22 connecting the development with Brookside Avenue and thence, by using existing roads and footways, with Polegate town centre and rail station. This proposed foot / cycle bridge would be the only transport connection between the site and the town for those modes. Draft drawings of the bridge have been prepared by the applicant. The HA has recently indicated that it would expect responsibility for maintenance of the bridge to pass to the County Council on completion. The County Council has its own standards and it is currently unclear how well the draft proposals comply. The County Council also considers that some improvements would be required to the existing network of footways to the east of the A22 before they could adequately serve as the main connector between the site and Polegate town centre. The HA's position that direct pedestrian/cycle access to the site from the A22 should be deterred is supported.

Interim Travel Plan (ITP)

Key to the transport acceptability of this site is the extent to which sustainable transport choices can be developed and fostered in this location. Otherwise this would just be a site on the fringes of an urban area with an inbuilt and inflexible predisposition to car use. This is an issue that relates both to the overall acceptability of development of this site for housing, and to the amount of housing that can be accommodated. The draft ITP proposes measures that it concludes will achieve patterns of modal choices by residents of the development that will enable up to 520 housing units to be occupied before highways based trigger limits are exceeded (see 'Highway Access' section above).

The ITP sets out baseline (pre-Travel-Plan) and target (post-Travel-Plan) modal choice proportions. The targets are consistent with the aim of limiting the total vehicular output from 520 housing units to what has been agreed with the HA as the maximum acceptable. The extent of targeted change from baseline in trip rates and modal choices is substantial. I am not convinced that the measures proposed in the ITP are sufficient to achieve those changes.

Bus accessibility and effective penetration are crucial to maximizing public transport use. The proposals do not provide a sufficiently attractive public transport option, even less so in light of the HA objection to direct bus access to the A22 adjacent to the site, which would limit all bus access into and out of the site to being via Cophall roundabout. Patronage forecasts in the ITP are considered to be very optimistic, and very reliant on forecasts of use by travellers connecting with the rail service at Polegate station. The latter forecast is considered to be over-reliant on analysis of census data for the whole of Polegate rather than a more focused selection of similar peripheral areas of the town. The applicant has been requested to provide supporting 'real-life' evidence of the targeted level of change being achieved elsewhere in similar areas by this level of

For: Planning Sub-Committee South
Date: 10 December 2009

public transport input. To date there has not been a response. The County Council has estimated that the proposed service changes and additions would require developer funding of at least £330000 (less passenger income) per annum, and that this would be required for a substantial time period to establish and maintain the service levels required to deliver a truly sustainable choice.

The ITP also relies on a significant proportion of journeys being by walk or cycle. The proposed foot/cycle bridge would be the only transport connection between the site and the town for those modes. Whilst this would provide a relatively direct route, the time and distance involved is at the margins (up to 15 minutes) for being a truly attractive and therefore effective modal option.

East Sussex County Council Childrens Services have expressed their concerns about accessibility of the new school by any means other than car. In view of the relative remoteness of this site from much of Polegate, I share those concerns.

Pedestrian / cycle access

It is noted that the bridge is indicated as part of the 'Additional information date stamped 26 August 2009'. ESCC preference is for at-grade crossings of the A22 as these provide easy direct access to and from the development and Polegate town centre. However, ESCC accept the Highways Agency's position if, as indicated the Folkington Link is not built. As previously indicated, whilst the bridge would offer one route across the A22, there are concerns that it is only one route and the time and distance involved in making use of the bridge is on the limits of the time people would be prepared to walk (15 minutes or more). It is noted that the Non-Statutory Local Plan shows two connections which would help to ensure accessibility for a wider part of the development. Thus, one bridge is unlikely to provide effective modal shift.

County have not been able to fully assess the detail of the bridge as the submitted drawings prepared by the applicant are somewhat sketchy. A significant amount of additional information would be required to enable a full assessment of the bridge.

Road narrowing on development access road:

The proposed narrowing is some distance from Cophall Roundabout. From a highway capacity point of view, the evening peak hour flow into the development is one which could potentially lead to problems on Cophall Roundabout. This particular issue is for the Highways Agency to consider but considering the information submitted as part of the TA, ESCC do not believe this proposal would lead to any capacity issues during peak periods or any other part of the day.

From a bus accessibility point of view, ESCC consider that the signals would need to include bus priority in order to allow quick bus access into and out of the site. Whilst ideally, for this level of development, the access would be free-flowing, ESCC do not consider this narrowing to present major highway issues.

Conclusions:

There are a number of significant outstanding issues that need further work and agreement before ESCC can consider whether this development is acceptable in highways and transport terms. As it stands, ESCC recommend refusal on the basis that the proposal is not well connected to local facilities and does not adequately provide for travel modes other than by the private motor vehicle and it would conflict with the

For: Planning Sub-Committee South

Date: 10 December 2009

objectives of the Local Transport Plan 2 and Policies within the Wealden Non-Statutory Local Plan.

Highways Agency

First Consultation

- Directs that planning permission not be granted for a period of 1 year commencing from 12 November.
- The reason for directing that the application is not granted is to permit further consideration of the deliverability and timing of the proposed West of Polegate trunk road improvement scheme taking into account the Regional Funding Allocation refresh currently being carried out by the Regional Transport Board.

Second Consultation

Folkington Link

Applicant will need in due course to either amend the current application or resubmit. Folkington Link is not now prioritised by the Regional Transport Board, therefore expect a revised application not to be reliant on the construction of the Link and to assume that the A22 between Cophall roundabout and Lewes Road will continue to be part of the SRN. All vehicular traffic to be via Cophall roundabout with no new junctions onto the A22 and for strong measures to prevent pedestrians attempting to cross the A22 at grade between the site and the urban area of Polegate eg unclimbable barrier along the site frontage with the A22.

Footbridge

The footbridge option put forward by the applicant appears to provide the basis for a safe way of crossing the A22 on foot and cycle. It is essential that in addition to the unclimbable barrier etc referred to above, the layout of the site and signing of pedestrian routes to encourage the use of the bridge and strongly discourage any temptation to cross the SRN at grade, including at Cophall roundabout.

TR3 Junction improvements

At present the TR3 junction improvements and access arrangements required to deliver development at this site have not been drafted to design standards. This should be addressed at the earliest opportunity to allow for any departures to be agreed with the HA. There will be a need for revised Road Safety Audit. Sensitivity tests need to be carried out on remaining TR3 junctions to ensure operation is not adversely affected by the change in trip rates.

Interim Travel Plan/Draft Travel Plan Condition

Important for Travel Plan condition and associated Travel Plan objectives/targets to ensure that the SRN and in particular the Cophall roundabout, continue to operate effectively after the proposed development is occupied.

For: Planning Sub-Committee South
Date: 10 December 2009

3rd Consultation Response

The direction of 12 November 2008 was issued on the basis that the proposed development relied in the view of the Highways Agency on the implementation of the Folkington Link. The Folkington Link is shown on the application drawings but does not form part of the application. The application is based on the premise that the Trunk Road will be diverted on to the Folkington Link and that the new junctions will be introduced on to the A22 in order to access the proposed development including surface level pedestrian crossings. The Highways Agency considers that if the Trunk Road continues to be routed along the A22, then the new junctions and surface crossing facilities proposed in the application will have an unacceptable impact on road safety and journey time reliability.

Following the direction of 12 November 2008 the applicant engaged in discussion to address objections centring on the removal of the proposed junctions and surface level pedestrian crossings. The applicant appears to be suggesting a bus only access between the proposed development and the A22. The applicant has not discussed this with us and it is difficult to envisage how this access could be consistent with the strong measures required to prevent pedestrians from crossing the A22 at grade. There is a possibility that proposals that are needed for other purposes will preclude us from withdrawing our objection. The HA have become aware of a foot crossing of the railway line to the south of the site leading to the A27. Strong measures would be required to prevent pedestrians from the site crossing at grade.

Southern Water Services **NO OBJECTION**

There is adequate wastewater treatment capacity at the Hailsham South wastewater treatment works to serve the development up to 520 houses. Additional off-site sewers or improvements to existing sewers will be required to provide sufficient capacity to service the development. Conditions relating to foul and surface water drainage recommended.

English Heritage

First Consultation

English Heritage believes that the proposed housing development is dependent on the West Polegate Trunk Road junction improvements and should not be considered independently of this scheme. The highways improvements are likely to be damaging to the setting of Wooton Manor, its park and the AONB. At a landscape scale, there will be a notable impact on the setting of the AONB. The development should not be considered infill of urban land between the arms of the A27 and A22 but as an extension of the urban area of Polegate into open countryside that forms part of the setting of the AONB. Furthermore, now that there is additional information from the Historic Landscape Characterisation not available during the preparation of the ES, we can say that the area affected is landscape of considerable time depth and of some evidential and historic value. EH disagree with the assertion in the archaeological Desk Based Assessment that yet to be discovered remains will necessarily be of local importance if discovered - it is quite possible that unforeseen remains may be of regional or national importance and the adverse effects of the scheme upon them would require mitigation.

For: Planning Sub-Committee South
Date: 10 December 2009

There is insufficient information in the application to properly assess the environmental impact of the housing on the setting of Wooton Manor. What information there is suggests a mix of housing types in the form of semi-detached groups, terraces and possibly flatted blocks. These are generally of 2-3 storeys but may in some instances be higher, whereas the surrounding established residential areas are predominantly two storey sub-urban type housing. The indicative layout plan and supporting planning statements indicate a range of densities across the development site but in some critical instances this is at a relatively high level. The limited information on form and density, alongside the indicative information gives cause for concern that the development may not sit well within its immediate suburban and rural context and the development would appear as an incongruous addition to the area rather than being integrated with it. EH recommend that WDC seek further information about the design of the housing to inform your decision with regard to scale, massing and detail.

English Heritage believes that the proposal to breach the Roman Road in two places for the initial access road and the trunk road is highly undesirable and that the applicant should consider how the proposal could minimise the impact on these important archaeological remains. The proposal should be further mitigated by an archaeological programme of works.

Second Consultation: Following the submission of photomontages of views from Wooton Manor, EH has made the following observations:

- Questions the point of criticism about the lack of definitive statements in the EH Setting Assessment, since the whole point of asking for montages was the lack of information about the visibility of development within this view
- Disagree that EH's assessment of the overall setting as almost completely rural is inaccurate. The built features that EH mentioned have a tiny presence in the view, which seems to make the overall setting overwhelmingly rural.
- More information required regarding the methodology for producing the montages, in particular whether the building and roof heights shown are accurately modelled and show the full extent of the development
- Is it possible to check tree and hedge heights since the extent to which buildings are screened by vegetation is important?
- Trees are shown in full leaf and lighting would be visible at night
- Existing development represents the road - this is visible as a dark band of trees and only very occasional glimpses of traffic are visible.
- Buildings appear to be lower than expected and don't appear to be visible except from Viewpoint 1. Need to establish the extent to which this is the screening effect of vegetation and the accuracy of the modelling and vegetation.

Environment Agency NO OBJECTION

Satisfied that the submitted Flood Risk Assessment and Surface Water Drainage Strategy is a reasonable representation of the risks at this location and have no objections to the proposed development, subject to planning conditions.

The Environment Agency have however expressed concern that the development appears to be dependent on the construction of a link road to the west of the site, and

For: Planning Sub-Committee South
Date: 10 December 2009

that some assessment within the Environmental Statement assumes that this will go ahead. Any link road in this location will need to be assessed independently at the time and will have to meet high standards, particularly regarding the maintenance of connectivity of the landscape. Of particular concern is the potential impact to the already fragmented populations of Great Crested Newts in this area, which if this road is inappropriately constructed will be under threat of local extinction.

Despite the assumption of the application that the link road will go ahead, section 8 of the Ecology section of the Environmental Statement states that the impacts of the link road will be similar to that of the development as a whole. The EA disagree with this statement as road systems have a significant impact on biodiversity and wider habitats than developments where sensitive receptors can be avoided. For example the connectivity of the landscape will be compromised through the road scheme in a much more significant way, crossing flight lines, watercourses and hedgerows, and potentially compromising the survival of European protected species.

With regard to the site investigations it is noted that 'Area 5', previously used as a waste transfer station, has not been investigated. The Environment Agency agree with Section 19, conclusions and recommendations that this area be investigated prior to development. It is important that area 5 is adequately investigated to fully assess the potential for contamination, it should not be assumed that elevated results are 'hotspots' until the whole development site has been satisfactorily investigated. All areas which were inaccessible in prior investigations and locations where contamination is suspected must be included. The potential presence of fuel tanks and barrels both above and below ground should be investigated as the demolition and site clearance progresses. Further chemical testing should be undertaken as stated in section 19 on a phase by phase basis to characterise the site and assess any contamination present.

Natural England

First Consultation OBJECTS

- The application cannot be assessed in isolation of the proposed road unless it can be confirmed that the development is not reliant on the road being built.
- The impact of the proposals on the immediate setting of the Sussex Downs Area of Outstanding Natural Beauty (AONB) and the designated (but not confirmed) South Downs National Park.

Proposed Link Road

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 Schedule 4 states that the EIA should include a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases. In the absence of confirmation that the development could be operational without the proposed link road, it is Natural England's opinion that this application is unable to be assessed in isolation and that the ES should also cover the potential impacts of the proposed road. We are aware that the TR110 notice states that planning consent for the proposed link road cannot be granted for a period of one year so this application in isolation of the road appears to be premature.

For: Planning Sub-Committee South
Date: 10 December 2009

Impact on designated landscapes

The area at and around Honey Farm forms an integral part of the immediate setting for the Sussex Downs AONB and the designated (but not confirmed) South Downs National Park. Natural England considers the settings of designated landscapes to play an important role and are sensitive to change. Consequently, particular regard should be had to the quality and character of the countryside in these areas and that potentially damaging development is avoided. The importance of the setting of designated landscapes is also recognised in Policy C2 of the draft South East Plan.

Natural England does not accept that the LVA's description of the local character of the site as being urban fringe. The area is clearly rural and is attractive countryside. The Inspector appointed by the Secretary of State for the report¹ on the South Downs National Park confirms the land value of this site as follows:

"It may be outside the AONB but to my eyes this is an area of attractive, largely unspoilt Low Weald countryside. It contains several sites of ecological and historic importance and is surprisingly tranquil given that it stands close to the large urban populations of Polegate and Hailsham" (Para 7.421)

The increase in light pollution resulting from the development would lead to further intrusion of urbanisation into the surrounding countryside and be an unacceptable impact on the AONB as well as affecting the rural setting of the National Park.

Protected Species

The largest impact on protected species from this development would be as a result of the proposed link road. As no details have been included regarding the link road we are unable to comment as to whether any proposed mitigation is adequate.

Second Consultation **Objects**

The impact of the proposals on the context and setting of the Sussex Downs Area of Outstanding Natural Beauty (AONB) and the designated (but not confirmed) South Downs National Park.

Impact on designated landscapes

The area at and around Honey Farm forms an integral part of the immediate setting for the Sussex Downs AONB and the designated (but not confirmed) South Downs National Park. It is also integral to the setting of Wooton Manor which is a grade II house and historic park and garden.

Natural England is concerned to note that the landscape and visual assessment was undertaken in summer with vegetation in full leaf and no assessment has been carried out during the months of the year when vegetation is without cover. Therefore the conclusions are not likely to fully reflect the impact of the development on the designated landscapes during those months and is likely to be a "best case" scenario. We also note that the photomontages showing the likely visual impact from adjacent Wooton Manor are illustrative only as access cannot be gained.

For: Planning Sub-Committee South
Date: 10 December 2009

Natural England does not accept that the LVA's description of the local character of the site as being urban fringe. The area is clearly rural and is attractive countryside. The Inspector appointed by the Secretary of State for the report on the South Downs National Park comments on the importance of Wooton Manor and confirms the land value of the development site area as follows:

"It may be outside the AONB but to my eyes this is an area of attractive, largely unspoilt Low Weald countryside. It contains several sites of ecological and historic importance and is surprisingly tranquil given that it stands close to the large urban populations of Polegate and Hailsham. If it satisfies the natural beauty criterion, the Agency does not dispute that it also meets the recreational opportunities test. Indeed it seems to me that few parts of the Low Weald have the ability to alleviate recreational pressure on the vulnerable chalk hills as well as the Upper Cuckmere Valley" (Para 7.421)

Natural England considers the settings of protected landscapes to play an important role and are sensitive to change. Consequently, particular regard should be taken of the quality and character of the countryside in these areas and that potentially damaging development is avoided. The importance of the setting of designated landscapes is also recognised in Policy C3 of the South East Plan

The landscape and visual assessment concludes that *"the overall impact on areas of landscape value is considered to be of medium-low magnitude of substantial-moderate significance and adverse nature"*. Natural England considers the impacts of this development to be unacceptable on the setting of the AONB and the National Park.

The increase in light pollution resulting from the development would lead to further intrusion of urbanisation into the surrounding countryside and be an unacceptable impact on the AONB as well as affecting the rural setting of the National Park.

Bats

Section 5.2.2 of Bioscan Report No. E1185ses3fv2 states that (the 8m wide access route through shaw W6)

"is assessed to be a low risk of a substantial reduction in the local area's breeding population, which could translate to effects noticeable to the population potentially on a county level. The remaining impact after minimisation through design is therefore significant and requires further mitigation..."

This conflicts with Section 3.3.11 of the same report which states

"...due to the restricted width and extension of the canopy beyond the road boundary is assessed as unlikely to present a barrier to bat movement along this shaw..."

These two points are contradictory so Natural England would like clarification as to the proposed impact of the access road through shaw W6 on bat species.

The mitigation proposed in Section 6 of the report appears to consist of bat boxes, which cannot be considered mitigation for flight/foraging routes, and planting of new shaws which will take decades to mature. We do however welcome the recommendation for lighting to be of minimal light spill design.

For: Planning Sub-Committee South
Date: 10 December 2009

Dependant on the proposed impact, we would expect the application to include adequate mitigation to ensure that the proposals are not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range (as defined in Regulation 44 of the Habitat Regulations).

Planning Policy

The application does not appear to conform to national, regional and local policies.

PPS7 states that *"Nationally designated areas comprising National Parks, the Broads, the New Forest Heritage Area and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas"*.

The setting for a designated landscape is also integral the value of the designated landscape, and this has been recognised in Policy C3 of the South East plan which states *"High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals for development should be considered in that context."*

Section 4.17 of the non statutory Wealden local plan states *"The special landscape qualities of the AONBs justify particular care in considering development proposals and their statutory designation strengthens the ability of the Council to protect them from inappropriate development, both within and adjacent to their boundaries"*.

Section 4.31 says of the Low Weald landscape *"This attractive, generally unspoilt character is evident in extensive views across the Low Weald from the higher land of the AONBs to the north and south"*. Section 4.32 goes on to say *"The Low Weald landscape beneath the scarp slope of the Sussex Downs has a particularly strong visual relationship with the adjacent AONB and as such is highly sensitive to development and change"*.

Policy PW1 of the non statutory Wealden local plan also states that the *"the retention and strengthening of existing important trees, tree groups and hedgerows..."* would be a requirement for a development proposal in this area. However, the proposals, in the absence of the Folkington Link Road, include an 8m wide access road through shaw W6 to the north of the site which is also likely to impact on the setting of the designated landscape.

Police (Crime Prevention)

First Consultation

NO OBJECTION

This is a relatively low risk crime area and no major concerns have been identified with the proposals. Pleased to note that the Design and Access Statement gives due reference to crime prevention measures and in particular the seven attributes of sustainable communities that are relevant to crime prevention. Will be looking at the detailed design to see these attributes are incorporated. Affordable housing requires accreditation under the Secured by Design scheme.

For: Planning Sub-Committee South
Date: 10 December 2009

Second Consultation **OBJECT**

Brookside Avenue in common with other roads in the area bounded by the A22/A27, Hailsham Road and the High Street, has for a long time benefited from the lack of any through routes. The area is made up by a series of cul-de-sacs which creates good defensible space, allowing the residents to exercise control over their own environment. The opening up of this area as a through route to the High Street from the footbridge will without doubt create an increased risk from anti-social behaviour, criminal damage and theft. There are real concerns that any increase in crime will have an impact on the provision of policing in Polegate. Sussex Police object to a footbridge into Brookside Avenue forming part of the proposal for Honey Farm development

ESCC Contributions Officer

Contributions would be required towards education, library, waste and recycling and rights of way

The Wealden Non Statutory Plan does not make provision for a new nursery school facility. Notwithstanding this County have advised that it would be appropriate in order to meet the needs for Early Years Education that would be generated by the proposed development and other new housing in the area by providing a new facility alongside a new primary school within the development. County have advised that the area of additional land required to enable the primary school to accommodate the necessary Early Years facilities cannot be finally determined at this stage as it would depend on shape, topography and a number of other factors. They have however indicated that at least 0.2 hectares of land would be required to accommodate a new nursery facility. Similarly the area of land to accommodate a new primary school cannot be finally determined, however County have indicated a requirement of at least 1.2 hectares of land.

County Archaeologist **NO OBJECTION**

Proposed development is of archaeological interest due at the scale of the development on a greenfield site. Historical map analysis suggests this site has been impacted very little by modern development.

Not aware of any archaeological investigation within the development area and the only recorded archaeological feature is the line of a major Roman Road running from Pevensey to the Ouse valley which crosses the northern sector of the site. In other areas along the course of this road evidence has been found for contemporary settlement, burial and other activity. This road appears to have continued in use into the medieval period when it was referred to as the Old Kings Road and later used as a coach road in the post medieval period, prior to the construction of the A27 in the 19th century.

A large section of the development area is defined as a regular piecemeal enclosed landscape formed in the medieval period which is part of a much wider landscape that has its origins in the medieval period. The current boundaries and field patterns are an integral part of the historic character of this area and it is important that this development gives full consideration to retaining these land divisions so that elements of this character remain.

For: Planning Sub-Committee South
Date: 10 December 2009

The archaeological desk based assessment is a concise summary of current understanding of the history of the landscape but County disagree with the recommendations. County recommend a phased programme of archaeological work prior to construction comprising non-invasive evaluation, targeted sample trial trenching evaluation and further mitigation measures to preserve in situ or preserve by record archaeological features identified

Condition required for a programme of archaeological works

Victorian Society OBJECT

Note that the housing development and proposed new road have been moved further eastwards and consider this an improvement on the previous more intrusive scheme. However the nearby site is important and the scheme will undoubtedly change the setting of Wooton Manor.

The Society has previously advised that Wooton Manor is a particularly fine example of the work of Arts and Craft architect Detmar Blow. The parkland was also worked on by Blow. This extremely sensitive site should therefore be a major consideration in deciding the planning application to build 520 dwellings on the land to the east of the house. The adopted Wealden Local Plan clearly states that the land to the west of Polegate is not a favoured location for development in view of its effect on the landscape including the setting of the Sussex Downs AONB and proposed National Park. It is clear from this that this area is a designated countryside gap.

Society for Protection of Ancient Buildings OBJECT

Whilst recognising the need for affordable housing, the cramming of this site with multiple small units would ruin the countryside surrounding a fine grade II* listed house and landscaped park at Wooton of which it historically has been part. The setting is crucial to the estate's heritage value and this inappropriate development would destroy that.

Polegate Town Council OBJECT

- The A27 link is outside of the applicants' control and finance and is therefore not viable.
- Traffic in the area is already grid locked at peak times and therefore no development should be allowed until Cophall roundabout achieves graded separation and a proper bypass.
- PW1 states that if there is any development west of the A27, no part of the development should be occupied until the completion of the A27 trunk road, together with other improvements.
- There is no approved timetable within which the Highways Agency must deliver this and, as it is not included in the application, it must be considered that the application is unsustainable.
- The proposed crossings on the A2270 would cause unacceptable traffic congestion; the area around Polegate and beyond is already grid locked at peak times and any further congestion would encourage additional traffic to rat run through quiet residential streets.

For: Planning Sub-Committee South
Date: 10 December 2009

- Pelham Holdings make no offer of developers' contributions and have said in the past that they have no funds available for major road improvements with an application of this size.
- The proposed pedestrian/cycle accesses via Brookside Avenue are contrary to secure design as recommended by the police and would create potential corridors of anti social behaviour and compromise the security of nearby houses. There are already two adequate routes into the town centre along the Hailsham Road in the north and the Eastbourne Road/High Street in the south.
- The application is outline only and the majority of important issues would become reserved matters which would achieve limited input from this Council and local residents.
- The high density of housing is unacceptable.
- The development would have a detrimental effect on the countryside and be clearly visible in an AONB with the additional problems of light pollution.
- There is insufficient infrastructure to support this development and no proposals are in place to provide supporting infrastructure in the foreseeable future.
- The Department of Transport have directed that this application may not be granted until this time next year "to permit further consideration of the deliverability and timing of the proposed west of Polegate trunk road improvement scheme, taking into account the Regional Funding Allocation refresh currently being carried out by the Regional Transport Board".

Long Man Parish Council

OBJECT

- Outline application for 520 houses and the aim is for a further 80 houses then 2200 houses. If approved leaves much detail to be decided later which is an unsatisfactory way to proceed.
- Omits from the application site the area around Honey Farm – guidance in the Non Stat plan requires an agreed scheme of cessation of all commercial activity in the vicinity of Polegate Honey Farm
- Plan to demolish No 27 Brookside Avenue to create path through to the trunk road and site is highly unpopular
- A27 improvements outside the scope of consideration
- Many matters not resolved and are reserved matters
- Some parts of the application form are wrong eg states that none of the site is visible from public road, footpath, bridleway or other public land
- Concerns regarding the programming for the improvements of A27 west of Polegate yet LMPC have correspondence from the Highways Agency stating this has not been programmed nor is finance available
- Proposals are a departure from all Statutory Planning Policies
- The Wealden Non Statutory Plan does not have the authority to permit these proposals which are a departure from the Statutory Approved Development Plan
- The application is premature as necessary road and infrastructure is not in position. Non-Stat Plan states that no part of the development shall be occupied until the completion of the A27 west of Polegate trunk road and other improvements. The application is predicated on the future construction of the link road, but this is something the developer cannot deliver and is on land it does not control. Unless the Highways Agency was to use compulsory purchase powers the link road cannot be delivered. Since there is no approved timetable or funds

For: Planning Sub-Committee South
Date: 10 December 2009

for this and since it is not included in the application – considered that this application is premature.

- Policy requires two vehicular access roads from the A22 which cannot be provided if this length of road remains a trunk road – cannot be detrunked until the west of Polegate improvements are completed. Also issues of practicality and safety.
- Impact of proposed pedestrian crossings across trunk road. Cannot be implemented until road is detrunked
- Much essential infrastructure to support the development is not in position. No details of developer contributions being offered. No unilateral undertaking presented nor are Pelham Holdings offering contribution towards this
- Sustainability has not been demonstrated
- No delivery strategy is offered
- Amount and location of housing needed around Polegate
- Unacceptable environmental impact on the AONB, the South Downs and the Proposed National Park are unacceptable.
- Disagree with the landscape and visual assessment which states that the site is not a rural landscape but an urban fringe location. The site is clearly rural and open rolling and undulating countryside and is particularly important in its setting being on the edge of the AONB. South East Plan Draft requires planning decisions to have regard to the setting of an AONB.
- development would have an adverse effect on the AONB and be inappropriate pending the decision on the South Downs National Park boundary. The more the ground rises to the rear (north) of the site, the higher will be the degree of visibility from within the AONB.
- Access is difficult from all feeder roads onto A27 between Polegate and Lewes. The extra traffic this development will generate will make the situation even worse. Because of poor and unsafe access by foot or cycle, almost all trips in and out of the site would be made by car. The development would be much more car-dependent than alternative sites north or south of Polegate (shown in the LDF consultation booklet of July 2007) which would not be segregated from the town centre by a major road.
- The proposed development would be a disconnected satellite from Polegate and would be afflicted by noise from the major trunk road on two sides and a railway line on one side. The proposed densest housing is placed on the site closest to the incoming noise source.
- All sites should be identified together and confirmed in a LDF at public examination, not brought forward in piecemeal manner, which is what this application represents.
- It is also noted that three-storey blocks of housing are proposed on the southern boundary and it would take a very long time, probably in the order of 50 years for any planting to mature sufficiently to conceal these high-rise blocks from the AONB/future National Park. The tree belt south of the A27, which is relied on by PH as a screen for the southernmost part of its site, is some 70 years old, not all in good condition, and could need to be thinned; so exposing the houses to view still more.
- the A27 link plotted on the drawings submitted, but which is not part of this application. would have an increased detrimental effect upon the AONB/future National Park were it to be implemented exacerbating the effect of the development on the AONB, particularly bearing in mind that the southern end of the link will have to be raised on embankment to cross over the railway line,

For: Planning Sub-Committee South

Date: 10 December 2009

which is only in shallow cutting at this point. This then requires raising the present carriageway of the A27 for a considerable distance to either side of the proposed junction. The signalised junction and street-lighting this would also entail would urbanise part of the AONB and harm the western outlook from the western end of the Stud Farm Estate.

Local Residents

A total of 1069 objections have been received including a petition with 55 signatures and a second petition with 175 Signatories

General, Principle and Policy

- Contrary to policy including the Adopted Plan, the Draft South East Plan, PPS3
- Contrary to the Adopted Local Plan which protected the area - allocation imposed by a Non Statutory Plan for which no public inquiry was held. Pre-empted much of the work undertaken as part of the LDF which will be informed by an Environmental Assessment and Sustainability Appraisal
- Approval of development on this site premature and will prejudice outcome of emerging LDF
- Application only for 520 units as opposed to 600 identified in policy - no certainty of when the remaining allocation will be brought forward
- Appears to be a phase to part of what in the longer term is anticipated to be a much larger scheme - up to over 2000 units. Appears to be the first of three phases as previously submitted
- Inappropriate extension of Polegate westwards into open countryside
- Severance of development from hinterland. Lack of proper integration into the town. Not an urban extension, peripheral and separate and not cohesive
- Not sustainable - does not accord with Government's sustainable development principles under PPS1 and PPS7
- It is for the benefit of the developers to generate profit who have little concerns about the local environment.
- No reason to drop the countryside gap designation.
- High density housing would be unacceptable.
- No need for this housing in the current economic climate
- Does not address need for affordable housing
- Plans do not show correct boundary for proposed National Park
- Number of answers on application form are incorrect
- Proposed National Park is a material consideration in the consideration of this application

Infrastructure and Local Services

- Infrastructure does not exist to integrate increased population and increased vehicular traffic
- Water and drainage is not capable of coping with extra demand
- Water supplies are scarcer
- Schools, hospitals and local medical facilities will not be able to cope.
- Will increase the risk of flooding.
- Unacceptable provision of dual use community facility with primary school.
- Employment uses should have been included in application with less housing

For: Planning Sub-Committee South

Date: 10 December 2009

- Should look for more sustainable and deliverable sites which already have road infrastructure.
- Adverse impact on residents and businesses of existing town. Development will not help regenerate Polegate Town Centre. Development site is too segregated - people more likely to drive to Hailsham/Eastbourne where there are better facilities
- Proposals do not acknowledge pressures on parking spaces around the town - proposal will exacerbate this

Landscape, Historic Environment and Ecology

- Rigorous search process which involved background studies in respect of landscape, transport and community infrastructure led to the identification of land east of Dittons Road and at Mornings Mill Farm in the first deposit draft. The background landscape appraisal prepared by WDC specifically ruled out the north-west Polegate site.
- Unjustified extension into open countryside
- Detrimental to approach, views to and from and setting of the South Downs AONB and National Park designate.
- Approaches to and views from the Downs are an intrinsic part of their appeal to locals and visitors,
- Scale of development incompatible with surroundings, visible from South Downs and impact on landscape setting. Visual impact.
- Intrusion and detriment to setting of the listed Wootton Manor and its historic parkland.
- Proposals to "soften" impact of development on countryside would not mitigate intrusiveness from South Downs. Developers should have submitted computer generated images to show the extent of the visual intrusion from the Downs
- Loss of and impact on wildlife and habitats
- Additional traffic and homes will cause light, air, noise pollution.
- Development should be directed to brownland not green fields.
- Development within floodplain and increased risk of flooding
- Impact of rainfall/run-off on existing culverts and capacity to cope - concerns about flooding for neighbouring properties in Gosford Way
- No reference in the application to the impact the development would have on the Pevensey Levels - rate of flow of water and water quality issues
- Proposed housing would be sited next to productive farmland in the ownership of the Folkington Estate. High density housing directly adjacent to this farmland would have a serious adverse economic effect rendering productive land difficult to cultivate and unsafe for intensive grazing due to trespass and vandalism.
- Concerns regarding diversion of Brook and impact on residents of Gosford Way

Design and Amenity

-
- Poor integration with current built up area of Polegate
- Scale of development is excessive.
- Unacceptably high density for such a small sensitive area. Urbanisation of greenfield rural site. Form and bulk of housing would be out of character with and overlook the low rise Stud Farm housing estate
- Non specific sustainability statement - generic in its analysis and aspirational in its proposals

For: Planning Sub-Committee South
Date: 10 December 2009

- Does not address issues of starter homes for low paid or essential workers
- Does not include new ideas for environmentally efficient eco-homes
- Does not address problems of society - financial, economic and social
- Development and proximity to three main transport systems not conducive to high quality social environment
- Impact of proposed footpaths on safety of existing residential areas
- Increased noise, pollution and disturbance
- Visual impact of lighting/light pollution
- Application fails to protect proposed dwellings from existing commercial operations (intrusive operations start at between 4.30am and 5am on most working days) within the allocation site but excluded from this application, which will cause noise and disturbance to adjacent properties
- Detrimental impact on quality of life for existing residents.
- Loss of bungalow and tree in Brookside Avenue

Road, Traffic and Transport

- Development is dependent on a link road being built between Cophall roundabout and Folkington Lane yet developer is not funding this road nor is it in any road improvement programme and unlikely to be so for at least ten years
- Proposed by-pass is shown on proposed drawings, but the South Coast Multi-Modal study concluded there was no national need for a new road link in this area. This conclusion was supported by the Secretary of State for Transport in his announcement when he rejected proposals for a by-pass at Wilmington and Selmeaton due to schemes adverse impact on the environment
- Application is accompanied by a detailed plan for A22/A27 Link Road but not included within application. Impact of height, widening and lighting. Loss of trees. Stud Farm estate would be seriously exposed
- Uncertainty over access arrangements - issue of deliverability of link road.
- Proposals shows northernmost permanent access onto the detrunked road, almost superimposed on the existing heavy commercial vehicular access. This new access will carry the major vehicular traffic generated by the new primary. Application does not acknowledge existing commercial access or potential safety issues caused by conflict.
- Proposed development will restrict Highway Agency options to provide a suitable link between the A22 and A27 which is environmentally friendly
- New link road must be built between A27 and A22 to accommodate the increase in traffic
- If housing is permitted to start without the road scheme, pressure to impose road afterwards on route shown would be greater and right to oppose it in principle would be lost
- Transport Assessment is flawed and unreliable - summary and conclusion show how weak the assessment is as it does not show that the development can be adequately accommodated in the area; figure are incomprehensible and unreadable in present format; walking/cycling isochrones do not adequately account for the actual routing of such modes; junction numbering in the text does not accord with the Figure; the Travel Plan section of the report offers nothing concrete; drawings promoting possible improvements to nearby transport infrastructure that were not audited as part of Stage 1 Road Safety Audit; base ARCADY assessment does not reflect queuing and wait time necessary to join Cophall Farm roundabout in peak (and at other) times; no account has been

For: Planning Sub-Committee South
Date: 10 December 2009

taken of construction traffic and its impact; the southern junction to the development "steals" the A22 right turn lane which will lead to blocking of this access in a southerly direction as all traffic will be concentrated into a single lane

- Increased traffic generation and impact on surrounding roads and junctions. TA acknowledged Cophall roundabout has significant history of casualties yet scheme depends for its access upon substantially increasing the traffic entering onto this roundabout.
- A27 already used to capacity limits especially during peak hours - C121 through Cuckmere Parish already used as short cut - further pressure on A27 will exacerbate this
- Proposed access junctions would introduce hazards onto the A22 which would undermine the road as a primary route
- Inappropriate proposed crossings through Brookside Avenue which is indirect and confusing and will result in loss of amenity and security to existing residents
- Impact of proposed pedestrian crossings on vehicular flows along A22
- Better alternative routes that are within 10 minutes walking distance to High Street
- Unacceptable impact of foot and cycle bridge with regard to safety, amenity, privacy, landscape, streetscene and light pollution.
- Unsuitable for access through Brookside and adjoining streets and issue of ability of existing footpaths able to accommodate additional usage.
- Residential Travel Plan should be implemented prior to first occupation
- No certainty that Travel Plan would work and issue of ability to enforce it
- Sensitivity tests based on trip rates for 400 dwellings or 520 dwellings - no allowance for school, health centre etc

2. Other Relevant Responses

East Sussex Downs and Weald NHS The applicant has not discussed the provision of a GP Surgery as part of this development and to this extent we cannot support the application. Bearing in mind the overall number of houses it is intended to build in the Polegate area the PCT is planning to develop a significant new health facility to meet the needs of the present and the expanded population. However the cost of developing this new facility does require a contribution from developers relative to the size of the development. Based on a development of 520 dwellings a financial contribution would be required from the developer.

ESCC Children's Services

CONCERNS RAISED

Primary School

Should Honey Farm and other developments go ahead, it is proposed to construct a new primary school to serve the area. A site has been allocated for this purposes under PW1. Whilst Honey Farm is currently the only site identified for a new primary school and would be utilised in the absence of any viable alternatives, ESCC CSD has serious reservations about the suitability of the site and its apparent isolation from the rest of Polegate. ESCC would therefore wish to consider any alternative sites that might be identified under Wealden's Local Development Framework. In the meantime, confirmation of the size and topography of the site together with any survey data required to enable further consideration of its suitability.

For: Planning Sub-Committee South
Date: 10 December 2009

The planning application proposes that the development proceeds before the A27-A22 Link Road is constructed. ESCC already has considerable reservations about the accessibility of a primary school at Honey Farm, by means other than motor vehicle (eg pedestrian/cycle routes) for children living in other parts of Polegate.

Nursery Provision

There is currently insufficient childcare provision in the Polegate area. A development of Honey Farm's size would create even more pressure on existing provision and definitely create a gap in childcare for the area. ESCC would want to seek nursery provision within the plans. The preferred option would be for the nursery to be part of the primary school site wither incorporated in the school building or stand alone. If the nursery could not be included within the primary site it is possible that the nursery could be a standalone building elsewhere on the development site, either as a dedicated nursery building or with additional meeting rooms for community use.

Sussex Gardens Trust OBJECT

Unacceptable impact on special historic landscape - the manor and its parkland of permanent pasture within a downland setting Noise and light pollution from dwellings and associated roads would result in physical and visual disturbance to parkland features.

Concerned application has come forward before the long term planning proposals have been determined for the Polegate/Eastbourne area.

Development should not come forward until plans for A27 improvements and Folkington link are resolved unacceptable for a temporary route to be introduced before the final plans are agreed

Historic Houses Association OBJECT

- Application still indicates a road scheme outside the application boundary which would run alongside the park
- Residential development will occupy two thirds of the open land with high density housing between Wooton Manor and Polegate with the road scheme occupying the remaining land. As a result the architectural concept of a house on a low hill facing the Downs in a rural setting with a foreground of open fields will be lost.
- Setting is crucial to the historic heritage of Wooton Manor. Registered Park and Garden would be affected by proposed road scheme including removal of trees and street lighting

Drainage: Recommends conditions relating to details of all of the proposed surface water storage facilities, finalised foul and surface water drainage details, long term maintenance arrangements for any parts of the drainage system which will not be adopted, access road/drive/parking areas, provision of land drainage measures, surveys of existing watercourses on and adjoining the site and identification of any maintenance works required, detailed plan indicating overland flow paths of surface water

Waste Houses will require storage for 2 x 240 litre wheeled refuse bins. Flats will require storage area for 1 x 1100 litre and 1 x 660 litre per 5 flats. Application does not appear to make provision for commercial waste in relation to the convenience store.

For: Planning Sub-Committee South

Date: 10 December 2009

For a development of this size a communal recycling centre would be appropriate. Road design and parking arrangements should allow for clear access to all areas for the refuse collection vehicles

Pollution The proposals may be at risk from potentially contaminated land. Need for greater mitigation to ensure correct noise standards both during construction phase and development. The acoustic survey shows that site levels are likely to be higher than the preferred category A NEC - mitigation measures will be necessary to achieve satisfactory external and internal noise levels. To achieve the required external noise levels, particularly in relation to rear garden and the school playing fields it appears from the acoustic report and in particular the noise mapping data that a boundary barrier will be required. Important to ensure that the barrier will achieve the required level of protection. For internal noise levels initial assessments should be based on windows being open and external mitigation such as building orientation, internal layout, distance and screening features to be considered before succumbing to keeping windows closed. If the latter is required then adequate air exchange will be required. Conditions to be attached

South Downs Society OBJECT

- The site is not allocated for development in the statutory plan and its development would therefore constitute a departure from the current development plan.
- The proposal is premature pending approval of the South East Plan, progress on the local development framework and a decision on confirmation of the National Park, and could prejudice proper consideration of any future highway scheme in this area.
- The development would have a significant adverse impact on the Sussex Downs AONB and designated South Downs National Park and on the Low Weald landscape that provides the setting to the Downs. The Landscape and Visual Assessment submitted with the application acknowledges that development on this site would have an adverse impact by increasing the urban and decreasing the rural setting of the AONB. The Assessment also notes that the development would have an indirect adverse impact on the Downs with potential views of the proposed housing over extensive areas, night time lighting and possible noise pollution. Despite various mitigation measures the Assessment recognises a number of other landscape impacts including loss of trees and hedgerows, and increased pressure on local resources such as public footpaths.
The development would be in Low Weald countryside, the foreground view from the Downs. Protecting the openness of the Low Weald is critical to the protection of the setting of the South Downs. The northward rise of the land comprising the application site makes the site prominent in views from Wilmington Hill, Folkington Down and Coombe Hill. The site is the first stretch of open land in the Low Weald seen from the South Downs, west of the Eastbourne-Polegate built-up area. It marks the beginning of unbroken open landscape running westwards along the foot of the Downs.
- The application is in outline but contains illustrative layouts and a design statement. These indicate high density housing, three storeys with tall roofs in the lower part of the site: this would be very close to the Sussex Downs AONB and designated National Park and would be incompatible with the landscape setting. It would differ in scale from existing housing in Polegate.

For: Planning Sub-Committee South
Date: 10 December 2009

- Reliance on screening the southernmost part of the site next to the railway from views from the Downs is placed on a tree belt on the south side of the A27. This is some 70 years old, is not controlled by the Highways Agency and is not all in good condition.
- The development would have a significant adverse impact on the setting of Grade 2* listed Wootton Manor and its registered parkland setting, (Grade 2 on English Heritage's Register of Historic Parks and Gardens), especially when viewed from the Downs scarp to the south. This is acknowledged in the Environmental Statement accompanying the application.
- The application indicates, presumably for illustrative purposes, a major road proposal connecting A22 to A27. However this is not intended to form part of the application, nor is such a road in any public highway construction programme. If the housing development which is subject of the current application were to be permitted, it would prejudice options for any possible future construction of a road link in this area. While this Society is not campaigning for such a project, it would be most concerned that proper generation and evaluation of options should not be prejudiced, to the potential detriment of the Downland and Wealden landscape. The current application is therefore premature in this respect also

Sussex Wildlife Trust OBJECT:

- Damage to important habitats and species cannot be adequately mitigated. Greatest concern relates to proposal for a road to the development site and subsequently the Folkington Link road and resulting severance of habitat will constitute a barrier to species movement in the long term along with disturbance, pollution and traffic threats.
- Environmental Statement makes it clear that the development will result in negative environmental impacts, but concludes that this is out-weighted by socio-economic benefits.
- Although the proposals state that long term biodiversity impacts are expected through the creation of habitats, the loss of established ecological network routes and introduction of disturbance and pollution, including light and noise, has not been assessed against this.
- Concerned that this is the first phase of a much larger proposal, as presented by Pelham Homes in 2006.
- Proposal and the link road is likely to impair the functioning of an ecological network and also have a greater effect on species through its impact on interconnectivity of habitats in the wider area, through direct loss of habitat and multiple indirect effects, e.g. noise and light pollution.
- The proposal will affect an area, which is important in its own right for biodiversity, but carries increased importance in its location. It contributes to linkages between the Downs, Low Weald and sites of Ancient Semi Natural Woodland and indeed beyond, when migrating species are considered. The age of hedgerows, shaws and field systems in this area show that this interconnectivity has existed for centuries and will have contributed to the diversity of species here and in surrounding areas.
- ES identifies the bat fauna of the site as "diverse and abundant, with a minimum of seven species and a considerable amount of activity" and states that "the number and diversity of bats using the study area makes the important features for bats potentially of county value although this cannot be separated as a unit for evaluation from the woodland to the north".

For: Planning Sub-Committee South

Date: 10 December 2009

- The interconnectivity of landscapes is of great importance to bat species and severance of routes connecting important habitats such as the woodland outside the site could have a significant negative effect on species.
- The assessment provides further details of foraging routes suggesting levels of activity consistent with considerable maternity roosts in the area. It should be noted that whilst pipistrelles use routes over lit highways (the lights attract insect prey), this can lead to an increase in these common species of bats. These may in turn, out-compete serotines and noctules, species which prefer the darker, quieter routes, which will be lost.
- Ecological assessment concludes that it will be "some decades" before mitigation planting is mature and able to compensate for habitat loss. During this time the link road scheme and further phases of development are planned and so negative impacts on bats could be long term and compounded by further habitat loss and disturbance.
- Shaw W6 has abundant ancient woodland indicators, showing that it is the remnant of a historically more wooded area, increasing its importance as an ecological network, vital to species movement.
- Ponds and their associated species will be isolated as a result of the development. Ephemeral ponds are important and of value to various red data book species. Ponds and watercourses have intrinsic value as a habitat and to the species they support beyond protected species.
- Also valuable habitat for amphibians and reptiles, including protected great crested newts, grass snakes and slow worms and other BAP species including toads.
- Impact on bird species, both resident and those that use the area during migration. Farmland birds and birds of prey are known to inhabit this site and the wider area; many of these are in decline. Loss of habitat for nesting and foraging and reduced connectivity along with disturbance, pollution and predation by domestic pets will affect these species.
- Impact on the South Downs Area of Outstanding Natural Beauty (AONB), proposed National Park. Development of greenfield in this area constitutes a break in the current views across the Low Weald countryside and in particular the setting of the habitats and connecting hedgerows and shaws. These habitats illustrate the permeability of the area to wildlife and the importance of the sites to the wider landscape. A particularly damaging aspect of this proposal to the landscape will be the proposed link road and associated light and noise pollution.
- Concerned the proposed development is being considered in isolation when it is dependent on a very damaging road scheme. The application concludes that it will result in environmental damage, which we consider unacceptable in the spirit of PPS9.

South Downs Joint Committee OBJECT

- Previously objected to the allocation of land to the north-west of Polegate at the First and Revised Deposit Draft Local Plan stages.
- Allocation can only be accorded limited weight as the Non Statutory Local Plan has not been tested at an Examination in Public.
- Site is clearly rural and attractive countryside, and it forms an important part of the setting of the AONB. Policy C2 of the South East Plan Submission Draft on Areas of Outstanding Natural Beauty requires planning decisions to have regard to the setting of AONB.

For: Planning Sub-Committee South
Date: 10 December 2009

- The Landscape and Visual Assessment submitted with the application acknowledges that the development on this site would have an adverse effect on the AONB, a conclusion shared by the Joint Committee.
- Approval of this application would be inappropriate pending a decision on the South Downs National Park.
- Approval of this application would be inappropriate pending the approval of the South East Plan.

Conservation and Design Officer OBJECTS

The development would be a significant feature on the skyline in views both from the Manor House and the Parkland and the visual impact could be greater still at night, depending on the location, extent and type of lighting associated with it. Similar factors would apply to contextual views towards the site from the top of the South Downs which would see the present agricultural character of the setting to the north-east of the Manor and its adjacent parkland replaced with built form which could not be effectively screened from that viewpoint.

Much would depend on the grouping, design, materials, and associated landscaping being of an exceptionally high quality if mitigation is to prove successful. The question of the development's night-time impact - arising from the type, scale and location of the external lighting and light spillage from buildings (particularly larger, public/communal ones) and the alignment of routes to and through the site. This aspect is particularly relevant where the construction of any new access road is concerned.

Landscape Officer OBJECTS

Consider the proposals would impact negatively on the South Downs AONB/National Park, the historic park & garden of Wooton Manor, ancient woodland along the Roman Road on the N boundary of the site, European and UK protected species; species and habitats of principal importance under the CROW Act (2000); the Low Weald landscape & the area of remoteness north-west of the site.

It is not considered that the proposals yet meet criteria for approval under the following policies and guidance: The Conservation (Natural Habitats, &c.) Regulations; the Countryside and Rights of Way Act PPS9 and PPG15; south-east plan policies NRM5, NRM7; Non-statutory plan policies PW1 and PW4; Saved policies EN8, EN12.

Recommend the Council considers the relevance of the judgement in R v Cheshire East Borough Council (2009) in determining this application

Landscape:

The proposals would have an important & negative impact on the views-out from the South Downs AONB/National Park & the Registered Historic Park & Garden at Wooton Manor a pre-conquest royal manor of some importance where, according to the English Heritage register the 'principal aspect remains the outlook to the south-east, over parkland & the wider landscape beyond'. The non-technical summary appears to confirm that some of the medieval manor's demesne would be lost.

For: Planning Sub-Committee South

Date: 10 December 2009

The layout appears to place built form in land allocated for playing fields & pitches & sports pitches in land allocated as 'landscape buffer'. The proposals do not appear to show substantial landscape planting & it is not clear that they will meet the criteria of policy relating to the low weald landscape

For information the potential new A27 link road would impact on the area of remoteness which lies approx 100m to the north-west should this ever form part of the application.

Landscape, Biodiversity and Cultural Heritage:

The applicant's assessment of whether hedgerows are valuable does not appear to have taken their historic merits nor looked at physical features or specific species associated with each hedge as outlined in the hedgerow regulations. It is likely that more hedgerows are important than the applicant's studies show.

The access road for the new school & the potential new A27 link-road both pass through & would remove part of woodland W6 & trees of significance which have developed along the roman road - now a track - on the northern boundary of the site. The applicant's survey data indicates this is ancient semi-natural woodland of high value for European Protected Species of bat.

Biodiversity and European Protected Species:

There are concerns that the requirements of the Habitats Regulations have not been met in this application recommend the Council carefully considers the relevance of the judgement in R v Cheshire East Borough Council (2009). Criteria for approval in policy in PPS9 including that referring to ancient woodland, networks of natural habitats, habitat creation as part of good design, enhancement of biodiversity, protected species, species and habitats of principal importance does not yet appear to have been met.

Pedestrian and Cycle Footbridge

Although the principle of providing a safe pedestrian/cycle crossing of the bypass is supportable I can't recommend approval. The basic engineered design is uninspiring. It is considered that this (and further fencing to stop pedestrians crossing the bypass at ground level) would detract from the sylvan spirit of the landscape at this point. The proposals would require the felling of a number of trees that would otherwise continue to make a contribution to the landscape for a number of decades (category C). Some of the trees to be removed are good specimens. I do not consider the proposals meet criteria for approval under saved LP policy EN12..

3. Relevant Planning History

Application No.	Description	Decision and Date
WD/1954/764/O	Erect Petrol Filling Station & Engineer Works at Honeygate Farm, Polegate.	Refused 2 February 1955
WD/1960/421/O	Erect Petrol Service Station at Honeygate Farm, Polegate	Refused 22 June 1960.

For: Planning Sub-Committee South
Date: 10 December 2009

Application No.	Description	Decision and Date
K/1960/182/F	Proposed retention of use for storage and repair of vehicles at Honeygate Farm, Polegate.	Refused 22 June 1960.
WD/1960/1134/O	Residential Development , Fields at Polegate.	Refused 23 November 1960.
WD/1962/1355/F	Residential Development at Bay Tree Farm, Polegate.	Refused. 23 December 1964.
WD/1966/833K	Site for Agricultural Caravans at Honeygate Farm, Polegate.	Refused 24 August 1966
WD/1971/460/O	Residential Development at Honeygate Farm, Polegate	Refused 26 May 1971
KV/1972/1052	Erect Caravan Sale Site at Honeygate Farm, Polegate	Refused 28 June 1972
WD.1978/840/B	Erect Poultry laying Unit (Pd) at Honeygate Farm, Polegate	Approved 30 March 1976
WD/1979/1051.F	Retention of caravan as site office at Brick Works, Polegate	Approved 1 May 1980
WD/1979/1663/F	Continued use for maintenance and parking of vehicles at Brick Works, Polegate.	Refused 4 June 1980
WD/1985/2154/F	Use of rear garden as extra to scrap yard at 128 Sayerland Road. Polegate	Refused 4 February 1986
WD/1990/1738/F	Proposed Polythene Tunnels for agricultural use at Honeygate Farm, Polegate.	Refused 5 February 1991
WD/2006/17500/T	Installation of 15m GRP wood effect telegraph pole containing 2G/3G Antennae and Associated Equipment at land at Polegate bypass, A22, Polegate.	Prior Approval Not Required 6 April 2006
WD/2006/1415/MEA	Outline permission for 1000 homes together with 4,500 sq.m of employment (B1) development, a one form entry primary school and associated community facilities together with open space, landscape and habitat creation areas with access, including the West of Polegate highway improvements submitted in detail	Refused 12 October 2006
WD/2006/1416/MEA	Outline permission for 2,200 homes together with 9,000 sq.m. of employment (B1) development, two x one form entry primary schools, a secondary school and associated community facilities together with open space, landscape and habitat creation areas with access, including the West of Polegate Highway Improvements, submitted in detail	Refused 12 October 2006

4. Comments

4.1 The Application Site and Context

- 4.1.1 The application site comprises 30.83 hectares and is located on the western edges of Polegate, at the foot of the Sussex Downs. It is bordered to the west by a series of hedgerows beyond which extends an agricultural landscape. Wooton Manor listed buildings and registered park and garden lie to the west, with the main Hastings-Eastbourne-Lewes rail line forming the southern boundary of the

For: Planning Sub-Committee South

Date: 10 December 2009

site. The A27/A22, Cophall roundabout is located to the north of the site, beyond a tree lined ridge site whilst the A22 forms the site's eastern boundary. The urban area of Polegate lies across the A22 to the east.

- 4.1.2 The land is predominantly made up of agricultural fields with managed hedgerows. There is a significant tree belt along the route of an old Roman Road which crosses the northern fringe of the site in a northwest/southeast direction. Centrally along the eastern boundary of the site are two buildings used for commercial purposes, with an associated area of hard standing and triangular shaped area of grassland and scrub. Existing allotments occupy land to the north of the Site. There is currently no public access available onto the site.
- 4.1.3 A low ridge is located immediately south of the Roman Road. At approximately 35m AOD at the western site boundary, the site falls to 24m (AOD) at a brook that runs parallel to the railway line at the southern boundary. The lowest part of the site is the south eastern corner at approximately 16m AOD.

4.2 Policy Framework

- 4.2.1 The up to date, approved Development Plan comprises the following documents:
1. South East Plan (May 2009)
 2. The Wealden Local Plan (adopted December 1998).
- 4.2.2 Pending preparation of a Local Development Framework, certain policies of the adopted Local Plan have been "saved" via Direction of the Secretary of State dated 25 September 2007, under the provisions of paragraph 1(3), Schedule 8, Planning & Compulsory Purchase Act 2004. Any policies not saved expired on 27 September 2007.
- 4.2.3 The policies which have been included on the Notice of Decision are formally saved until Wealden District Council determines that they are no longer required. They may, for example, be deemed to be no longer required as they have been replaced by Local Development Framework (LDF) policies. In such cases, the list on the Council's website will be amended accordingly and any changes will be reported in the subsequent LDF Annual Monitoring Report.
- 4.2.4 In addition, the Council approved a Non-Statutory Wealden Local Plan Interim Guide for Development Control at its meeting on 14 December 2005. The Council will not now progress this Plan any further through its statutory process and it will not therefore be taken through a Local Plan Inquiry to formal adoption. This will enable the Council to continue with the production of its Local Development Framework as required by the Government. The Non-Statutory Wealden Local Plan is a material consideration in development control and the relevant policies have generally been supported and given due weight on appeal.

The Council has taken into account;

- Planning Policy Statement 1 (PPS1): *Delivering Sustainable Development; The Planning System: General Principles and Climate Change Supplement*;

- Planning Policy Statement 3 (PPS3): *Housing*;
- Planning Policy Statement 7 (PPS7): *Sustainable Development in Rural Areas*
- Planning Policy Statement 9 (PPS9): *Biodiversity and Geological Conservation*;
- Planning Policy Statement 12 (PPS12) *Local Spatial Planning*
- Planning Policy Guidance note 13 (PPG13): *Transport*;
- Planning Policy Guidance note 15 (PPG15) *Planning and the Historic Environment*
- Planning Policy Guidance note (PPG16) *Archaeology and Planning*;
- Planning Policy Statement 23 (PPS23) *Planning and Pollution Control*
- Planning Policy Guidance note 24 (PPG24): *Planning and Noise*,

4.3 The Application

4.3.1 This is an outline planning application with all matters reserved except for access. The proposal is for the construction of:

- 520 new homes including 156 affordable properties comprising 52 flats, 52 small houses and 52 three and four bedroom properties, (The application is for just 520 of the 600 units allocated in the NSWLP, as the remaining 80 are on land which is not controlled by the applicant).
- new single form entry primary school and community facilities including a doctor's surgery/health centre and convenience store;
- public open space including playing fields, equipped children's playing areas formal landscaping and informal parkland
- an interim access onto Cophall roundabout and two accesses onto the existing A22, Eastbourne Road. The two accesses will only be brought into use upon completion of the West of Polegate highway improvements when the A22 will be detrunked. The proposals also include for the provision of a footbridge across the A22 connecting into Brookside Avenue (as amended by the additional information submitted on 24 August 2009) and a southern pedestrian link also connecting into Brookside Avenue although part of this southern link lies outside the application boundary.

4.3.2 In addition to the application form, certificate and plans, an Environmental Statement, a Design and Access Statement, Planning Statement and Stage 1 Road Safety Audit accompany the application as submitted in October 2008. The Environmental Statement has been prepared in accordance with the requirements of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Additional information has been submitted in August 2009 and includes a variety of transport notes, details of the proposed footbridge, a landscape assessment of the impact of development from Wooton Manor and various letters from the agent.

4.4 Principle of Development

4.4.1 The application site is located outside the development boundary for Polegate as shown in the adopted Wealden Local Plan, and accordingly this outline application has been advertised as a 'departure' application. A large part of the

application site forms part of the allocation site on Land West of Polegate for housing and associated uses (Policy PW1) in the non-statutory Wealden Local Plan, approved by the Council for use as an Interim Guide for Development Control on 14 December 2005. However the application omits two land parcels which formed part of the allocation site as these are out of the control of the applicant, and also encroaches development beyond the designated development boundary. The Non-Statutory Plan does not form part of the approved development plan for the area and therefore the weight to be attached to it is less than the adopted plan. Nevertheless, the work undertaken in its preparation affords the non-statutory Plan some status as a material consideration to be given due weight in determining planning applications.

4.4.2 The Council has generally accepted in considering applications, that an allocation site from the NSWLP represents an acceptance of development in principle, subject to consideration against national policy, the merits or disbenefits of the actual development proposed and any other material considerations. Furthermore all the allocation sites that have come forward and been approved have not encroached beyond the development boundary as defined in NSWLP. It is also noted that there are other allocation sites within the NSWLP that whilst development is acceptable in principle, they have been unable to come forward for other reasons that have emerged subsequent to the allocation of the site, such as problems in securing acceptable access, for example Alderbrook Close in Crowborough

4.4.3 All NSWLP sites that have not come forward for development are currently being reviewed as part of the Council's comprehensive Strategic Housing Land Availability Assessment (SHLAA) which will be published in March 2010 and which will provide evidence on housing land availability for the LDF.

4.5 Development Boundary

4.5.1 The application site is located outside of the development boundary for Polegate, as defined in the adopted Wealden Local Plan. The proposed development, by virtue of the siting of the school, extends beyond the development boundary as set out in the Non Statutory Wealden Local Plan.

4.5.2 In defining the development boundary during the preparation of the NSWLP, the landscape impact of development was given clear consideration at the time. Paragraph 17.12 of the NSWLP advises that *"In recognition of the elevated nature of the northern part of the site and the proximity of the Sussex Downs Area of Outstanding Natural Beauty (AONB), the development boundary has been carefully drawn to limit the extent of built form on the higher and more visually exposed slopes and to ensure retention of existing valuable tree screening."*

4.5.3 The applicant's justification for siting the school to the north of the site has consistently been: *"On the Masterplan which accompanies the application the school is located on an area reserved for open space However the land to the west of the school site which is allocated for housing on the WDNSLP is shown on the Masterplan as open space. The land to the south of the school which is shown on the PW1 policy plan for the site of the school is shown as*

being developed for housing. The reason for the particular distribution of the development included in the application is that it reflects the detailed findings of the Landscape and Visual Impact Assessment and therefore presents the optimum solution for development having regard to the visual constraints the WDNSLP was subject to the required visual assessments being carried out. It follows that any changes in the distribution of development would be contrary to the findings of the current ES. Overall the quantum of development has not changed from that set out in the WDNSLP".

- 4.5.4 The Design and Access Statement also comments on the different location of the school compared to that shown on Figure 17.1: *"As part of the design testing of the Initial Access the position and access into the school was considered. With the school left in its PW1 location the geometry of the proposed road was such that it was too tight to access the site without the destruction of a small pond and copse of trees... By relocating the school, the initial access could enter the site on a more efficient alignments and avoid the loss of the copse and pond. "It is not considered that on the basis of the information supplied by the applicant that this is sufficient justification for the siting of the school outside of the development boundary.*
- 4.5.5 It is considered that the land to the west of the school site as shown in Figure 17.1 of the NSWLP (which was originally identified as housing) is better as open space, as this section of land is highly prominent from the South Downs and therefore any development on this part of the site would be highly intrusive. There are two important issues here, firstly that Figure 17.1 of the NSWLP does not form part of the Proposals Map and clearly states that it is for "illustrative purposes only". Secondly, Paragraph 17.12 clearly states that *"Subject to the findings of a full environmental and landscape assessment, which would need to be submitted as part of any planning application for the site, the extent of the developable area may need to be reduced at certain points to limit the impact..."* The fact that the LVIA identified this land as sensitive enough to warrant that development should not occur on this part of the site, clearly indicates that this area should be excluded from the developable area. The exclusion of this western part of the site from the developable area, as recognised may be required in the NSWLP, is not a justification for encroaching beyond the development boundary in other areas, order to make up the quantum of development.
- 4.5.6 It is also noted that the agent's letter of 14 July 2009 indicates that this site would also be of sufficient size to accommodate a separate community building which may have further impact with regard to built form encroaching beyond the development boundary, notwithstanding issues of landscape and visual impact.
- 4.5.7 As the development extends beyond the development boundary and encroaches onto land clearly designated for public open space under Policy PW4, it is considered that the proposed development is contrary to both the Adopted Wealden Local Plan and the Non-Statutory Wealden Local Plan and therefore constitutes unjustified development.
- 4.5.8 It is recognised that the school could be pulled back into the development boundary to overcome the objection, however this has clear implications for the

applicant's Masterplan and the level of development proposed which is addressed later in this report.

4.6 Transportation & Movement

- 4.6.1 The road network adjacent to the site forms part of the national trunk road network with the A27 Lewes Road to the south and a short section of the A22 between the A2270 and Cophall roundabout to the east. This network is heavily trafficked and provides local and strategic routes with heavy traffic flows. The A27 Polegate Bypass follows an east-west route to the north of Polegate and was constructed to alleviate traffic flows on the A2270.
- 4.6.2 The allocation site was identified for the development of approximately 600 houses in the Non-Statutory Wealden Local Plan which makes it clear that development at this location would be dependent upon a series of improvements to the trunk road junctions around Polegate and completion of the West of Polegate Highway improvements in accordance with the Joint Transport Studies which underpinned the NSWLP. Furthermore, the NSWLP requires that vehicular access to the development should be from the A22 and that this would only occur once the road had been de-trunked following the opening of the West of Polegate Highway improvements (the Folkington Link). The reason for this requirement is that the A22 is designated as a Trunk Road and therefore, it is necessary to provide an access to the development which does not interrupt the flow of traffic on the Trunk Road system.
- 4.6.3 The application proposes an interim access onto Cophall roundabout by way of a spur road and two accesses onto the existing A22, Eastbourne Road. The ES Project Design states that the latter two accesses will be for use by pedestrian, cycle, bus and emergency vehicles only until the completion of the West of Polegate highway improvements, when the A22 will be detrunked and the accesses onto Eastbourne Road can become all purpose. Necessary improvements to trunk road junctions are also identified. The Project Design states that *"The A27 Link Road will be completed by the Highways Agency in 2018 and at this point the initial access will close and two accesses to the A22 will be open for Traffic"*.
- 4.6.4 At the time of the Dittons Road inquiry in the summer 2008, the Highways Agency confirmed in an email to the Council dated 5 June 2008 that there was no objection in principle to a certain level of development off a spur road off the A27 Cophall Roundabout. This however was subject to agreement with the HA of the level of development which could be accommodated being informed through the submission of a full Transport Assessment.
- 4.6.5 The Highways Agency subsequently advised the Council on 4 November 2008 that *"Since 5 June things have moved on in respect of the Folkington Link and the prospects of it being built. In particular the South East Regional Transport Board has asked the Highways Agency to look at lower cost options, to about £15m value. The most likely lower cost option would involve improving the A22 and A27 on their current alignment. However an improvement along the current alignment would require protecting the existing A22 and A27 as a movement corridor, which would not be consistent with further accesses on to the A22 or at*

grade pedestrian and cycle facilities across it. This in turn would create difficulties in providing sustainable connections between the proposed development and Polegate and Eastbourne and might throw into question the suitability of the site for development."

- 4.6.6 A Holding Direction was issued by the Highways Agency on 12 November 2008 on the basis that the proposed development relied on the implementation of the Folkington Link, with the application being based on the premise that the Trunk Road will be diverted on to the Folkington Link and the existing A22 detrunked to facilitate access into the site. When the Direction of 12 November 2008 was issued the South East Regional Transport Board had been asked to prioritise transport spending in the period to 2015/16. The recommendations of the RTB in February 2009 decided not to prioritise the Folkington Link but asked the Highways Agency to review the need for further improvements to the A27 in light of the level of growth in the local area. There is currently therefore, no reasonable prospect of the Folkington Link being provided in the timescales envisaged when the NSWLP was prepared and this site was identified for housing.
- 4.6.7 The Transport Assessment submitted with the original application established that by making improvements to the Policy TR3 junctions it would be possible to deliver a first phase of development comprising 400 dwellings prior to the development of the Folkington Link Road. The applicant's agent promoted the imposition of a Grampian style condition restricting the development of the remaining 120 units until the construction of the Folkington Link, but the Council considered this was unacceptable because of the uncertainty of delivering the Link Road.
- 4.6.8 The applicant's agents were advised by the Highways Agency at a meeting in April 2009 that there was no certainty of a link road or any improvement to the A27 and that any justification for the "Link Road" would only emerge through the LDF process and the result of a joint sustainable transport study being undertaken by the HA/WDC/ESCC/EBC. It is understood that discussions between the applicant, the Highways Agency and East Sussex County Council have taken place in an effort to overcome their objections, with discussions focussing on the removal of the junctions and surface level pedestrian crossings on the A22 and the development of an Interim Travel Plan. Additional information was submitted in August 2009, however, whilst some details were submitted relating to the provision of a new pedestrian footbridge and cycleway across the A22, the access drawings relating to the junctions and the second pedestrian crossing on to the A22 remain the same.
- 4.6.9 The Highways Agency have subsequently extended the Holding Direction until 12 February 2010 "To permit further discussion on whether the proposed development can be amended so that it is not reliant on the delivery of the Folkington Link"
- 4.6.10 As there is no imminent prospect of the Folkington Link being delivered, the proposal would be contrary to the provisions of the non-statutory Local Plan which identifies the new road as a pre-requisite to development in this area. Whilst a technical solution to providing vehicular access off the Cophall

roundabout may be possible, the importance of the Folkington Link was to facilitate the detrunking of the A22, thereby ensuring that the development site could be well integrated and connected to the existing Polegate town centre and with local facilities. With the relevant sections of the A22 remaining as Trunk Road, this means that the development site would be physically severed from the existing Polegate built-up area, impacting on the ability to provide a viable and acceptable movement framework and providing much less scope for facilitating travel by sustainable forms of transport which formed an intrinsic part of the original development concept.

4.7 Sustainability

4.7.1 Two key aspects relate to the issue of sustainability, both of which are strongly interrelated with the fact that the proposals can no longer rely on the detrunking of the A22, and include:

- the physical severance of the development from the rest of Polegate by virtue of the A22/A27 trunk roads which create a physical barrier and the implications this has for interconnectivity and the creation of a sustainable and integrated community; and
- the ability to deliver sustainable transport options

Severance

4.7.2 The proposed development is situated to the west of the A22 whilst all the facilities and services associated with Polegate are located to the east of this busy strategic transport route. The accessibility of Honey Farm by non car modes of transport presents a problem which weighs against a grant of permission for the scheme as currently shown. Severance of the development site from other facilities in Polegate is a major concern. All of the area proposed for development would be physically separated from Polegate either by the A22/A2270 route or the A27, which in the absence of the Folkington Link, will remain as part of the Trunk Road network. The A22 has an existing derestricted speed limit. The development of this site would result in significant pedestrian and cycle movements across the A22, in both directions, including movements from elsewhere within the urban area to a new primary school and community facilities including playing fields on the development and also from the development to existing secondary schools and local facilities. The Highways Agency have clearly indicated that at-grade crossings would not be acceptable and that they would require strong measures through the installation of non-climbable barriers along the trunk roads to prevent pedestrians from the development crossing at ground level, which will not only impact on the connectivity of the development with the urban area but will have a detrimental visual impact on the character of the A22.

4.7.3 As a result of this, the proposed housing site would be both visually and physically separated from the town of Polegate by the existing trunk road (and non-climbable barriers), and would be perceived as a "separate" community. It would not meet the criteria set for a "sustainable" development as set out under current policy (PPS1). Its inadequate connections with the existing urban area

would be likely to lead to a lack of community integration and the development in turn would consequently be likely to make less of a contribution to the viability of the existing town centre, than as claimed by the supporting ES. Whilst the applicant has sought to address this through the provision of a footbridge from the development and across the trunk road, connecting into Brookside Avenue, it is not considered that this provides an adequate level of connectivity, that would be expected for a development of this size. In addition, there are other concerns regarding the appropriateness of such a footbridge with regard to the impact on the existing trees and landscape character, the amenity and privacy of the existing residents and concerns relating to security (raised by both residents and Sussex Police). The additional information submitted in August 2009, still shows pedestrian crossing across the A22 to the south, notwithstanding the Highways Agency advice that at grade crossings would not be acceptable. This southern link would involve the demolition of No 27 Brookside which is one side of a pair of semi-detached bungalows. As mentioned elsewhere in this report this is not included as part of the application, however such a provision would be likely to have an unacceptable impact on the streetscene. The applicant refers to the provision of these footpath links as being a requirement of the Non Statutory Plan, but it should be noted that the possibility of a southern connection was actually indicated as being through Gosford Way.

- 4.7.4 The location of the school outside the development boundary and in an area of land that was specifically allocated for public open space has already been addressed earlier in this report. There is however a further issue with regard to its relationship and accessibility to the surrounding area. ESCC Children's Services have expressed serious concerns regarding the suitability of the site and its apparent isolation from the rest of Polegate. The proposed development of the site prior to the A27-A22 Link Road being constructed, also raises concerns regarding the accessibility of the primary school (and indeed other proposed community uses on the site) by non-vehicular modes of transport for children (and residents) living in other parts of Polegate. This is because the provision of a primary school was not solely for this development but was also to accommodate the additional pupils generated from the approved development at Land East of Shepham Lane and the residential development approved on appeal at the Dittons Road site.
- 4.7.5 The applicant's Design and Access Statement emphasises the variety of uses that the proposed development includes and the fact that they will be accessible to the wider community of Polegate *"This combination of complementary activities and uses creates a new neighbourhood that offers participation to the whole community"*. The Health Authority has already indicated that they object to the provision of a health centre on this site and have requested a contribution towards a new health centre instead. Issues regarding accessibility to a community hall for the wider community are also likely to be a potential problem which will therefore be likely to jeopardise its provision and use. The cumulative impact of this would result in the significant erosion of the neighbourhood centre concept as envisaged in the original NSWLP housing allocation. The result would be that the development would instead become a "dormitory" residential enclave, without the sort of sustainable and inclusive community connections that would be expected from new developments of this scale and form.

Sustainable Transport

- 4.7.6 PPS1 states that new development should be located where everyone can access services or facilities on foot, bicycle or public transport.
- 4.7.7 One of the requirements of Policy PW1 was the provision of "Safe and convenient pedestrian and cycle links to Polegate Town Centre, to include improved off carriageway facilities alongside the A22 and appropriate crossings over the A22 and A27." The explanatory text under Paragraph 17.19 identified the need to maximise sustainable transport choices. *"As a minimum this will need to include "off-carriageway" pedestrian and cycleway alongside the A22 which the Highway Authority has indicated could be achieved within the highway boundary. Opportunities for improving direct pedestrian linkages to the town centre via the residential areas of Brookside Avenue and Gosford Way should also be taken."* Paragraph 17.19 also indicates that the developer will need to demonstrate the adequacy of any measures proposed to connect with the town centre and that all relevant accessibility improvements need to be made prior to the occupation of any dwellings on site.
- 4.7.8 The application was accompanied by a Transport Assessment which suggested various measures to minimise the transport impact of the proposed scheme and to encourage the use of modes of transport other than the car. As part of the original application, the Project Brief outlines the proposals for the creation of two pedestrian crossings at the traffic light controlled junctions of the two proposed vehicular accesses. The northern crossing was to provide access through Brookside Avenue and the southern access was to be achieved through the demolition of a property in Brookside Avenue. The applicants however did not specifically include the southern link in the application, due to the clearly contentious nature of this second link but indicated that the requirement for such a route should be determined by the Council and conditioned.
- 4.7.9 Cannon Consulting Engineers Technical Note (PTN02A regarding Town Centre Accessibility, states that *"As part of the comprehensive package of sustainable transport improvements, These proposals would be designed to link with, and supplement, the planned pedestrian and cycle network improvements as part of the planned detrunking and downgrading of the A22/A27 Eastbourne Road, following the opening of the A27 Link Road."*
- 4.7.10 No pedestrian crossing has been proposed across the A27, however, when raised with the Highways Agency and ESCC Highways Department, they confirmed this was not considered to be a concern. The only issue that has been raised recently by the Highways Agency is the need for a barrier along the A27 to prevent pedestrians from crossing the existing maintenance access across the railway and out at the gated access onto the A27. The Highways Agency have however strongly objected to at grade pedestrian crossings on the A22 and consider the only possibility to secure a pedestrian linkage is via a footbridge/cycleway across the A22. Council officers were concerned regarding the impact of this footbridge, with particular regard to the amenity and privacy of residents of Brookside Avenue and the existing footpath provision connecting

into the town centre and landscape impact. The Highways Agency however, would not accept an off-carriageway cycleway/footpath alongside the A22. The developers have subsequently submitted additional information regarding the provision of a footbridge and details to enable the Council to assess the impact on the existing trees and residential amenity and privacy. Notwithstanding this additional information, the footbridge remains an area of concern regarding the impact on the privacy and amenity for the existing residents, the visual and landscape impact of the bridge, loss of trees and safety issues for both existing residents and future occupants of the estate. The foot and cycle bridge where it links into the development on the western side of the A22 is isolated, connecting to footpaths that are between located between substantial planting and playing fields. The isolation of this part of the route, which fails to provide adequate levels of surveillance raises safety/security issues and by association issues about the level of likely usage. Sussex Police have also objected to the proposed footbridge on the basis of security issues. The only reference to a possible footpath link through Gosford Way occurs in the applicant's S106 Interim Residential Travel Plan, submitted in August 2009 but no details have been provided. Notwithstanding the lack of details, such a connection would still incur problems of delivery because of the A22 remaining as part of the SRN.

4.7.11 Section 4 of the Transport Assessment details connectivity and linkage with Polegate town centre and local public transport networks showing that the town centre and railway station are within 15 minutes walk time of the development site. These walk times however are based on the original proposals for pedestrian crossings and linkages which relied on the detrunking of the A22. In subsequent Technical Notes the applicant's Consulting Engineers assessed the journey times for three routes:

- Brookside Avenue - St Leonards Terrace Albert Road - High Street a distance of 650 metres and 8 minutes walk time
- Eastbourne Road (South)- High Street a distance of 1,090 metres and 8 minutes walk time
- Eastbourne Road (North) -Hailsham Road, High Street a distance of 1040 metres and 13 minutes walk time.

4.7.12 The walking distances however do not take into account the distance that residents within the development would have to walk even before reaching the proposed pedestrian/cycle bridge which is at the northern most part of the site. In reality the walking distances, particularly from the southern and western parts of the development would therefore be considerably greater than indicated in the application and supporting additional information, which reinforces concerns about the inability of the development to deliver safe, accessible and deliverable pedestrian and cycle connections.

4.7.13 The Section 106: Interim Residential Travel Plan (August 2009) sets out the potential travel plan measure, including:

- Introducing and promoting a car share scheme;
- Encouraging those without a car to sign up to TaxiBudi so people travelling in the same direction can share the costs of a taxi

- Promoting pedestrian routes connecting with bus stops and rail stations
- Providing site specific public transport information - explaining what buses access the site and what services can be taken to access specific facilities.
- Encouraging residents to register with WalkBudi and CycleBudi
- Providing walking and cycling maps showing local walking and cycling routes in relation to local facilities
- Improving permeability for walkers and cyclists
- Discounting cycles and cycle equipment
- Providing personal safety advice
- Providing cycle training advice

4.7.14 As can be seen, the applicant's proposed travel plan measures rely heavily on the provision of appropriate footpath and cycleway links. The pedestrian and cycle links (with the exception of the footbridge) are reliant on the existing A22 being detrunked. However as already discussed in earlier sections of this report there is no certainty of this length of road being detrunked in the future and therefore the ability to provide appropriate pedestrian and cycle linkages remains equally uncertain. The construction of barriers along the trunk road routes, required by the Highways Agency, and the provision of a single crossing point by bridge, poses real doubt about the future propensity of new residents on the application site to walk or cycle into Polegate town centre for day to day services and shopping.

4.7.15 A Bus Strategy was submitted as part of the application under the 2008 TA. The Design and Access Statement indicates that these proposals were to include the diversion of *"the X51 bus service from its existing route along the A27(T) into the development using the two access roads. In order to accommodate additional journey time additional buses will be provided for the route"*.

4.7.16 Bus services that previously passed the site have now been rationalised following Stagecoach's acquisition of the local bus companies. All buses now serve the Town/Centre Station and no longer use the A22 that borders the PW1 site. Whilst Policy PW1 of the NSWLP refers to measures for the implementation and/or improvement of the Quality Bus Corridor along the A22/A2270, it is understood that although in the LTP2, this remains an "aspirational" scheme and has not been progressed in any detail since the preliminary studies. The timing of the Quality Bus Corridor and therefore its ability to serve the PW1 site is uncertain.

4.7.17 The applicant has been in discussions with ESCC and the Highways Agency regarding the Travel Plan. The Section 106: Interim Residential Travel Plan submitted as part of the additional information in August 2009 sets out details of the proposed PW1 Bus Strategy as follows:

- feeding into the Quality Bus Corridor that is anticipated to incorporate the A22/A27 Eastbourne Road;
- the feasibility of diverting one or more bus services into the development site;
- the possibility of other service enhancements or service extensions to be investigated;

- a bus route through the site with an initial access from the southern access point onto the A22 Polegate Bypass;
- provision of bus gates could be considered, particularly in the early stages of development;
- Demand Responsive Transport (DRT) utilising the existing DRT service which connects with Langney

4.7.18 Technical Note PTN05 "PW1 Bus Strategy", proposed that the existing Service 54 be diverted to run through the site and that a new shuttle service to/from Polegate town centre be funded by the development. ESCC have advised that to achieve effective routing, in addition to access via Cophall roundabout, would require access to and/or from the section of A22 between Cophall roundabout and the A22/A27 signals. The applicant proposes a bus-only access/exit junction on that part of the A22. Such a 'bus gate' would require signals for southbound exiting buses, and would 'open up' the potential for direct access from the A22 to the development for pedestrians and cyclists. It is understood that the HA's position is that, on capacity and road safety grounds, they would not approve of bus traffic signals on this heavily trafficked road, and that any potential for direct pedestrian/cyclist access would not be acceptable. The HA's preferred position is for continuous site boundary fencing to deter this. ESCC have advised that it is also not clear that the proposed diversion of Service 54 from its present route would be acceptable.

4.7.19 On the basis of the current proposals, the application site would not be easily accessible, particularly by non-car modes of transport, and exhibits signs of likely car-dependency, contrary to national and local transport policies. It is considered that the application has failed to demonstrate how it could secure an appropriate package of transport infrastructure and other measures to promote alternatives to the car and encourage walking, cycling and the use of public transport and reducing car dependency, in the absence of the A22 being detrunked.

4.8 Historic Environment and Landscape

4.8.1 To the south-west of the site is the open landscape of the Wilmington Downs. The application site generally appears as a physically and visually enclosed area of countryside when viewed at ground level from the southern and eastern site boundaries and is separated from the built up area of Polegate by two major roads - the A22 and A27. The site however, plays a significant role in the transition from the built environment of Polegate to open countryside and a visual buffer and setting to the Downs, reflected by its previous exclusion from the development boundary as defined in the adopted Wealden Local Plan. The site is open to views from the South Downs and views from Wooton Manor. In the Officer's Report to the WLPRSR Committee one of the key reasons for rejecting major expansion in this area as part of the Local Plan Review process was the impact that such development would have on the adjacent Sussex Downs Area of Outstanding Natural Beauty.

4.8.2 The sensitivity of views from the Downs and Wooton Manor and its registered Historic Park and Garden are important in considering the impact of the

development proposals. Indeed, the explanatory text to Policy PW1 of the NSWLP includes additional requirements for a landscape assessment to specifically consider views into and out of the site and the overall impact of the development on the setting of the AONB and for measures to mitigate against impacts on the setting of the nearby listed Wootton Manor and its associated historic parkland.

South Downs

- 4.8.3 The impact of development on views to and from the Sussex Downs AONB and confirmed South Downs National Park boundaries are material considerations in assessing this application. PPS7 states that *"Nationally designated areas comprising National Parks..... and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these area"*.
- 4.8.4 The importance of the setting of the Downs is recognised in Paragraph 4.17 of the Non Statutory Wealden Local Plan which states that *"The special landscape qualities of the AONBs justify particular care in considering development proposals and their statutory designation strengthens the ability of the Council to protect them from inappropriate development, both within and adjacent to their boundaries"*.
- 4.8.5 The development would be in Low Weald countryside, the foreground view from the Downs. The northward rise of the land comprising the application site makes the site prominent in views from Wilmington Hill, Folkington Down, Coombe Hill and Butts Brow. The site is the first stretch of open land in the Low Weald seen from the Downs, west of the Polegate built up area and marks the beginning of unbroken open landscape running westwards along the foot of the Downs. The importance of protecting the openness of the Low Weald landscape relative to the setting of the Sussex Downs AONB is acknowledged in the NSWLP *"This attractive, generally unspoilt character is evident in extensive views across the Low Weald from the higher land of the AONBs to the north and south"*. Paragraph 4.32 goes on to say *"The Low Weald landscape beneath the scarp slope of the Sussex Downs has a particularly strong visual relationship with the adjacent AONB and as such is highly sensitive to development and change"*.
- 4.8.6 On 12 November 2009 the boundaries of the South Downs National Park was confirmed and in accordance with Policy C2 of the South East Plan, the purposes of its designation should be a material consideration in the making of any planning decision that may significantly affect the Park.
- 4.8.7 The Sussex Downs AONB contains Scheduled Ancient Monuments (Coombe Hill and 4 barrows) from where the development would be visible and would read as a large urban sprawl detracting from the openness of the landscape, overwhelming the historic field patterns and subdivision created by shaws, ditches, hedgerows and watercourses, the relationship between the gently

undulating landscape of the Low Weald and the South Downs, would be notably altered by the development as proposed.

- 4.8.8 The landscape assessment carried out the District Planning Authority as part of the NSWLP identified the sensitivity of this landscape to change and highlighted the visual prominence of the northern part of the site where the masterplan indicates a school and its playing fields, on land that was allocated for public open space under Policy PW4 of the NSWLP. The explanatory text under Paragraph 17.69 of NSWLP specifically highlights that there were compelling landscape reasons for selecting a particular location for the open space on the Honey Farm development and its for this reason that it was defined separately on the Proposals Map as an allocation for public open space.
- 4.8.9 Views from the South Downs indicate that a substantial proportion of the site would be visible and only a limited section to the south and south eastern corner would have limited views from higher ground. Whilst the applicant's Landscape Strategy identifies the characteristics of the site and the role played by tree belts and hedgerows and building upon this, there is little doubt that the percentage of built form to "green" field system boundaries will be overwhelming and the character of the area will change radically from open countryside to built form having a significant urbanising effect, on the landscape and countryside setting of Polegate. Furthermore the increase in lighting arising from the proposed development would exacerbate the intrusiveness of the development and its unacceptable impact.
- 4.8.10 It is considered that the landscaping strategy put forward and the intention to retain existing hedgerows, would be insufficient to overcome the short and long-term impact of a development of this nature, as it will overwhelm the landscape, during the day and night, being visually, physically and environmentally damaging. The visual connections between the AONB and Low Weald would be eroded as the development extends along the line of the A22 and spreads across areas of openness. The proposals are therefore considered to be contrary to national policy, including PPG's 15 and 16 and PPS 1 and 7.
- 4.8.11 The Landscape and Visual Assessment submitted with the application acknowledges that development on this site would have an adverse impact by increasing the urban and decreasing the rural setting of the AONB, demonstrating that the proposed development would be visible from 'a large area of the South Downs'. Seven viewpoints within the AONB were selected to assess the impact on visual amenity, including rights of way on Combe Hill, over which runs the Weald Way, and Wilmington Hill. The assessment describes each of these viewpoints as being of high sensitivity and referred to a number of mitigation measures including:
- keeping as much of the northern higher ground as open space and positioning taller development blocks at the base of the valley next to the railway line and A27(T) Lewes Road;
 - retaining existing hedgerows, tree belts and streams;
 - retaining as much vegetation as possible on the eastern boundary (A22);
 - minimising the tree loss associated with the construction of the initial access;

- a proposed 15m buffer incorporating a 3m high planted bund along the railway line (the southern boundary) to reduce views of the development from the Downs, Folkington area, Stud Farm and the A27; and
- lighting to be of low height (6-8m), low voltage and directional to reduce the effects of light pollution.

4.8.12 The assessment considers that the site 'is not an isolated rural landscape', being on the edge of the urban area with roads to two sides, which gives the site 'greater potential to accommodate the character changes' arising from the proposed development, it recognises that the proposed development would have a number of landscape impacts, including the loss of some trees and sections of hedgerows; increased pressure on local landscape resources such as public footpaths, the AONB and other designated landscapes; and increased noise levels. It concludes that the general effect on landscape character of the first phase (400 houses) would be medium-low magnitude of moderate significance and adverse in nature. However, in respect of the impact on the South Downs, the Assessment notes that the proposed development will increase the urban and decrease the rural setting of the AONB and that reducing the complimentary wider rural agricultural setting for the Downs of the Low Weald will have an adverse effect. It also notes that the proposed development would have an indirect impact on the Downs with potential views of the proposed housing, night time lighting and possible noise pollution. It concludes that the impact would be of medium-low magnitude of substantial-moderate significance and adverse nature.

4.8.13 The Council has given careful consideration to the mitigating factors put forward by the applicant relating to design and screening. The site is highly visible from the Downs and the scheme would 'spill out' into a new and open area of countryside and, because of its scale, would appear as a separate and self-contained new settlement ill-related to the existing town. Whilst there is no reason why existing trees and hedgerows, combined with significant additional planting couldn't provide the proposed development with an appropriate landscape dominated character, it is considered that with the number of units currently proposed that this would not be possible without a significant reduction in the number of units. Furthermore whilst bunding and strategic landscaping might in the long term provide some mitigation of the proposed southern part of the development from public views from the Downs, this is going to be more difficult where the ground rises towards the northern part of the site, and would not be able to mitigate the intrusiveness, particularly the southern part of the development, on views from Wooton Manor. In any case planting would take many years to establish an effective screen as noted in the ES.

Wooton Manor

4.8.14 Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function (PPG15 s2.16). The effect of proposed development on a registered

park or garden or its setting is a material consideration in the determination of a planning application (PPG15 s2.24).

- 4.8.15 It is noted that the draft PPS15 clarifies the definition of setting and its importance. *"The contribution made by setting to the significance of a heritage asset does not depend on whether it was designed specifically to complement the heritage asset (such as formal parkland around an historic house) or whether it has developed fortuitously (such as a multi-period townscape around a medieval church). Nor does it depend on the public's right or ability to gain access to that setting. The setting of a heritage asset includes any parts of the asset's surroundings that have a relationship with it capable of affecting its significance. Setting includes but is not restricted to visual relationships and will normally be more extensive than curtilage..."*
- 4.8.16 Wooton Manor, is a Grade II* listed building with a Grade II registered C20th historic park and garden. The Manor today, comprises gardens of circa 2ha, set in circa 25.5 ha of park and farmland. The house stands on a greensand ridge which slopes gently to the south with views to the Downs and set within farmland surrounds, apart from the A27 and railway line to the south before continuing into farmland and South Downs beyond. The description in English Heritage's 2005 Register entry states *'The principal aspect remains the outlook to the south-east, over the parkland and the wider landscape beyond'*. The designation of the park and garden to English Heritage's Register in 2005 is a material consideration, occurring after the inclusion of the PW1 site in the NSWLP by the Council Members in 2004 and included in the Non-Statutory Plan published for public consultation in November of that year.
- 4.8.17 Policy BE10 of the Non-Statutory Wealden Local Plan emphasises that development will not be permitted if it would adversely affect the character, appearance, features or the setting of any registered Historic Park or Garden.
- 4.8.18 The ES was unable to properly assess the potential impact of the proposed development on the Grade II* listed Wooton Manor and its Grade II registered garden. Following concerns raised during consideration of the application, additional information was prepared using computer generated montages from four viewpoints to demonstrate the impact of the development on Wooton Manor, albeit that the assessors had no access to this third party land that is in private ownership. Unfortunately the modelling does not reflect the actual landscape context, topography or the level of intrusiveness from a number of view points that the development would have on the Grade II* listed building and registered historic park and garden. The photomontages are inaccurate and grossly overestimates the visibility of the existing built development around Polegate.
- 4.8.19 When viewed from the immediate environs and from higher grounds of the South Downs, the extent of the inter-relationship between Wooton Manor, its parkland setting and the rolling agricultural and pastoral lands of the Low Weald, at the foot of the rolling Downs is clearly apparent. The contrast between the Low Weald and the gently undulating topography and the rising escarpment of Coombe Hill and the Long Man of Wilmington, can be seen with views to and from each of these areas and are considered to be part and parcel

of the unique historic and quality landscape of this area. It is considered that the ES underplays the visual, physical and historical connections between these areas and the inter-dependency of one on the other.

4.8.20 The application site is visible from a number of viewpoints within the grounds of Wooton Manor and the registered park and gardens. These views are on entering the grounds off the A27 by the bridge, various points along the approach up to the house and from the edge of the garden. Walking across the park and garden also reveals varying views of both the upper slopes and southern part of the site.

4.8.21 The number of dwellings proposed would intensify the degree of harm to the setting of Wooton Manor and its Park, by virtue of the size and height of the buildings needed to deliver this number of units. The development proposals show a significant part of the built form extending up to 3 storeys in height with a maximum storey height of 12 metres and remaining housing development up to 2.5 storeys with a maximum height of 11 metres. The Design and Access Statement clarifies the location of building heights further "*...buildings up to 2.5 storeys are proposed on the higher northern areas of the site with occasional areas of three storeys to emphasis entrances and key area. The lower less visible south eastern area of the site is predominantly up to 3 storey buildings. The more sensitive western edges of the site are up to 2.5 storeys. The primary school will be a single storey building but has been modelled as the equivalent of 5m development to accommodate the sports hall and allow for the inclusion of higher ceilinged teaching spaces within the school*"

4.8.22 The siting of the three storey buildings to the southern part of the site was intended to reduce the visual impact from the South Downs, however this is actually the most sensitive part of the site with regard to its impact on Wooton Manor. Looking towards the south-east from the Manor's gardens, there is a clear view corridor down across the parkland and the application site towards ESCC depot. The Salt Dome is clearly visible with the road lighting columns at the junction of the A22/A27 behind. Beyond this is a strong tree line which obscures views of Polegate beyond. The Salt Dome is around 13 metres high but is sited at the lowest point, and therefore provides a good indication of the impact of the three storey development and densities up to 60 dph which will be in the foreground (between it and the Manor) and therefore highly prominent in views from the Manor. This would change the view corridor from a rural landscape, containing a single sympathetically designed structure to a significant amount of built form that will intrude into the views. It is not considered that this negative impact could be mitigated unless there was significant reduction in the amount of development at this part of the site with an associated increase in the amount of landscaping.

4.8.23 Walking through the grounds, there are occasional glimpsed views through the trees of some of the Stud Farm bungalows, a few of the Brookside Avenue bungalows that are on the higher elevated land set behind trees and some movement of traffic along the A22 at certain intermittent points. These views were however when the trees had lost a lot of their foliage. This is also one of the concerns with both the landscape and visual impact assessment and the additional information submitted by the applicant, relating to impact on Wooton

Manor and the footbridge. That is, that, the assessments were undertaken in summer when vegetation is in full leaf. No assessment has been carried out during the year when the vegetation is without cover and therefore the conclusions do not reflect the potential impact of the development on the landscape and historic character.

- 4.8.24 Whilst there are some views of the commercial development of Honey Farm, from some viewpoints, these are along the line of the existing access road. Whilst visible as a built form, the intensification which would result from the proposed development around this locality would increase the intrusiveness of built form generally. The visual impact would be exacerbated by the proposed increase in height of focal buildings around this part of the site.
- 4.8.25 It is considered that the proposed development would have a direct and harmful effect on the setting of Wooton Manor and its Registered parkland and garden, contrary to Policy BE10 in the Wealden Non-statutory Plan, and to the current national policy PPG15.
- 4.8.26 Taking into account the impact on the South Downs and Wooton Manor and based on the quantum of development proposed, having regard to the density and scale of built form, it is not considered that appropriate measures in relation to the layout, design and landscaping could be secured within the parameters of this application, to mitigate against the detrimental impacts of the development on the setting of Wooton Manor, the Registered Gardens and the South Downs National Park having regard to Policy C2 and BE6 of the South East Plan May 2009.

4.9 Scale, Quantum and Siting of Development

- 4.9.1 Paragraph 17.11 of the Explanatory Text of the NSWLP notes that *"Overall the site has the potential to accommodate around 600 dwellings assuming a density of about 35 dph. The precise number of dwellings, site layout and the phasing of development will however need to be confirmed in the light of an environmental assessment submitted by the developer and other relevant studies at the planning application stage"* The NSWLP however recognised that the extent of the developable area may need to be reduced in light of these assessments.
- 4.9.2 The Environmental Statement indicates densities ranging from a minimum of 30dph in the south western corner to up to 60dph in the central eastern side of the site along the A22. With the exception of a block of dwellings indicated to be up to 35dph along the central western edge of the site the remaining development is proposed as up to 50 dph and up to 55dph. Following concerns raised by officer's regarding the amount of units, the agent submitted an illustrative Masterplan indicating the proposed number of units within each development area as follows:
- Area A (central western side) 125 units at 43 dph (an increase from the "up to 35 dph" shown in the ES).
 - Area B (central site) 100 units at 48dph

For: Planning Sub-Committee South
Date: 10 December 2009

- Area C (Central eastern edge) 60 units 58 dph
- Area D (south western corner) 60 units at 34 dph
- Area E (Southern edge) 175 units at 54 dph

- 4.9.3 It is considered that the site could not satisfactorily accommodate this quantum of development, taking into account the character of the area and surrounding development, impact of this scale of development on the landscape and historic environment and the ability to deliver a high quality development that relates well within the existing landscape.
- 4.9.4 Paragraph 17.12 states that *"Any landscape assessment will also need to specifically consider views into and out of the site and the overall impact of the development on the setting of the AONB, having regard to layout, design and landscaping proposals. It will also need to specifically address the measures including landscaping, design and layout, needed to mitigate against impacts on the setting of the nearby listed Wootton Manor and its associated historic parkland."* The impact of the development for 520 units on these sensitive receptors has already been addressed in this report under consideration of historic and landscape
- 4.9.5 The application includes the provision of a single form entry primary school on land in the north eastern part of the application site comprising a total area of 2.3 hectares. The ES notes that the school will also be utilised as a community facility outside of school hours based on the justification that this maximises the use of the built development and therefore contributes to the overall sustainability of the proposals. The Council raised concerns that this was contrary to the requirements of Policy PW1 which specifically requires *"A new neighbourhood centre to include a multi-purpose community hall, health centre and local convenience store together with a new single form entry primary school and associated playing fields totalling 2.3 h."* The agent's response to the Council's concerns in a letter 14 May 2009 advised *"In our discussions with the community at Polegate we have identified other existing community facilities with which a new hall would compete. We have also been unable to identify any body which would be willing to undertake the management of the hall."* This statement however was contrary to the findings of the Kit Campbell report which identified a clear need for community halls in the Polegate area and subsequently confirmed by Polegate Town Council that they require a separate community centre. The Council advised that it was not considered that the dual use of the school which would restrict community use to outside of school hours was acceptable in this instance.
- 4.9.6 Subsequently the agent has confirmed that there would be sufficient land to provide a separate community building, however this could have further implications with regard to the landscape impact in this area which is outside the development boundary. The applicant's Masterplan would need to be redesigned to include the school and a community building within the development boundary which clearly would have a knock-on impact on the number of residential units proposed.
- 4.9.7 The LVIA also identified the sensitivity of the upper western side of the site from the Sussex Downs AONB, and accordingly it is considered that this part of the

site should not be included within developable area as already mentioned elsewhere in the report.

- 4.9.8 It has already been noted that the application excludes two tracts of land that were originally included in the allocation. Whilst the omission of the land to the western side of the allocation site is not of concern, it is the omission of the Honey Farm commercial site that raises concerns. The applicants have demonstrated that the illustrative masterplan proposed would not prejudice the subsequent development of this commercial site, however this is based on the assumption that the land would be used for housing. Figure 17.1 which was albeit for illustrative purposes only, indicates the location of the school site in the vicinity of the commercial site. Taking into account the issues that have already been discussed with the problems of siting the school, it is considered that the exclusion of this site from an application could prejudice the comprehensive development of the site and securing the most appropriate distribution of uses. It is also noted that under Policy PW1 it was a specific requirement that *"An agreed scheme for the cessation of all commercial activities in the vicinity of Polegate Honey Farm to be implemented prior to any occupation on the site."* The current application is unable to deliver this Policy requirement.

4.10 Noise

- 4.10.1 The acoustic survey shows that site levels are likely to be higher than the preferred category A NEC - mitigation measures will be necessary to achieve satisfactory external and internal noise levels. To achieve the required external noise levels, particularly in relation to rear garden and the school playing fields it appears from the acoustic report and in particular the noise mapping data that a boundary barrier will be required.

The NSWLP also required that the commercial uses of Polegate Honey Farm should cease prior to the first occupation on site. Whilst it is understood that the applicant has been unable to secure the land, concerns have been raised by objectors regarding the noise impact on future residents. Whilst it may well be possible to provide an acoustic buffer around the site, there are concerns regarding the visual impact of the acoustic buffer depending on the form of barrier that may be required which could have implications on land take. The applicant's agent indicates *"We would however expect that noise from commercial operations would be controlled by normal planning action."* (letter date stamped 20 July 2009). It is not considered this is an acceptable approach to control noise and potential nuisance considering that the Honey Farm commercial use is an established existing use.

4.11 Ecology

- 4.11.1 Section 3.3.9 of the evaluation of the baseline of the accompanying ecological assessment describes the bat fauna of the site as *"diverse and abundant with a minimum of seven species and a considerable amount of activity"* and states that *"the number and diversity of bats using the study area makes the important features for bats potentially of county value although this cannot be separated as a unit for evaluation from the woodland to the north"*. Sussex Wildlife has

raised concerns that the severance of routes connecting important habitats such as the woodland outside the site could have a significant negative effect on species. The Non Technical Summary notes that there is a temporary medium term negative impact of medium intensity with regard to bats

- 4.11.2 The access road from Cophall Roundabout passes through a section of the route of the Roman road and a foraging corridor for bats. The landscape officer notes that this is ancient woodland. In order to reduce the impact of the initial access road the application proposes that *"the road at this point will be constructed with a single lane, having traffic light controls at either end"* Natural England have confirmed that they are satisfied that the reduced canopy gap will be accessible by bats as long as lighting is kept to a minimum in this area. If a wider access road is required, it is likely that further mitigation will be required to ensure that bats are able to cross the wider gap that will result. This may require a bat bridge as the shaw is currently heavily used by bats as a commuting and foraging route.

Whilst ecologically the impacts of a wider road may be possible to mitigate, there are concerns that if a wider road is subsequently required (as the current access into the site at this point relies on a 4m wide single carriageway that is signal controlled for one way traffic only), the impact this could have on the views from the Downs of this prominent tree-lined ridge.

4.12. Archaeology

- 4.12.1 The County Archaeologist has advised that the proposed development is of archaeological interest due to the scale of the development on a greenfield site which has been impacted by very little development in the past. The only recorded archaeological feature is the line of a major Roman Road running from Pevensey to the Ouse valley which crosses the northern sector of the site. The road appears to have been continued in use into the medieval period and later used as a coach road in the post medieval period, prior to the construction of the A27 in the 19th century.
- 4.12.2 The Historic Landscape Character Assessment of Sussex defines a large section of the development area as regular piecemeal enclosed landscape formed in the medieval period which is part of a much wider landscape that has its origins in the medieval period. The current boundaries and field patterns are an integral part of the historic character of this area and it is important that this development gives full consideration to retaining these land divisions so that elements of this character remain.
- 4.12.3 English Heritage disagree with the assertion in the archaeological Desk Based Assessment that yet to be discovered remains will necessarily be of local importance if discovered - it is quite possible that unforeseen remains may be of regional or national importance and the adverse effects of the scheme upon them would require mitigation. Both ESCC Archaeologist and English Heritage would require conditions relating to a archaeological programme of works if consent were to be granted.

4.13 Other Issues

- 4.13.1 Consideration has been given to the remaining issues including, land contamination, hydrology, noise and air quality and the consultation responses received from statutory consultees and local residents. Whilst concerns (with particular regard to issues of flooding and impact on residents of Gosford Way), it is considered that any remaining impacts could be adequately mitigated or controlled through the imposition of conditions

5. Conclusion

- 5.1 Careful consideration has been given to the application. It is recognised that the developer could address some of the concerns raised in the report, such as the unjustified development by pulling the school back into the development boundary. The concerns regarding over-development and visual impact could similarly be resolved by a significant reduction in the quantum of development to enable a reduction in the height of buildings and facilitate a much more landscape-dominated development, than is currently proposed to reduce the impact on the setting of Wooton Manor and the Sussex Downs AONB and the confirmed South Downs National Park. Whilst the site itself is located relatively close to Polegate town centre, the problems arising from the inability to de-trunk the A22 and the consequential unsatisfactory solution of a single pedestrian footbridge to deliver pedestrians and cyclists into Polegate, combined with the concerns raised by County regarding the acceptability of a bus service accessing the development off Cophall roundabout, compared to the sustainable transport solutions originally proposed as part of the allocation, has not been resolved. The development would be physically and visually severed from the existing town of Polegate and cannot be read as an urban extension but as an unsatisfactory separate satellite form of residential environment, segregated from its surroundings and from the existing local communities.
- 5.2 When the Council originally considered the development of this area and included it as an allocation in the Non-Statutory Wealden Local Plan, it was on the basis of a comprehensive transport solution that would enable its proper integration into the town.
- 5.3 The applicant's Environmental Statement Non-Technical Summary concludes that *"Whilst negative environmental impacts have been identified with respect to the development of the site at North-West Polegate, particularly with respect to listed buildings and landscape, these are considered to be of lower magnitude than the benefits which accrue from locating residential development in close proximity to existing services and a well developed transport system"*. However, in the absence of suitable linkages to the existing town, it is clear that this sort of conclusion cannot now be reached. For the reasons set out and explained in this report, officers recommend that the application is REFUSED

6. Contact points and references

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