

**Demolition of existing building and the erection of 3 x 3 bedroom and 4 x 4 bedroom terraced dwellings (to be known as Oakley's Court) with associated access, parking and landscaping
At Oakley's Garage, High Street, Burwash, East Sussex TN19 7HA**

Full Planning Application



Planning, Design and Access Statement

**Plan 2 Develop Ref No: P2D 103
February 2021**

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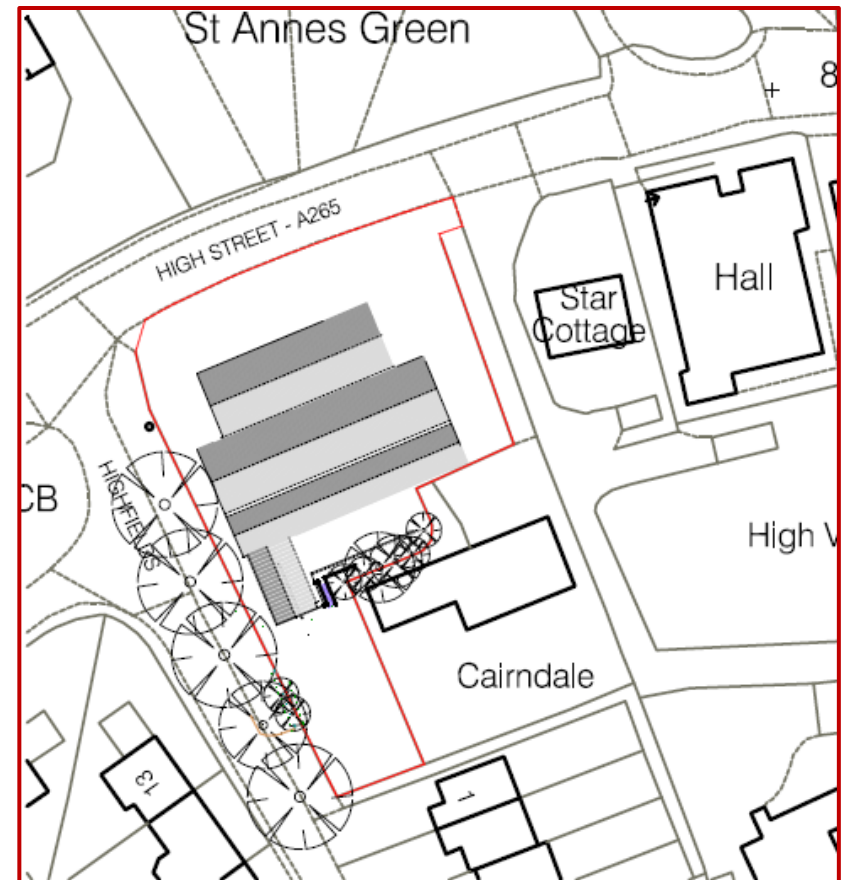
Appendices

1. Email from Plan2Develop to Burwash Parish Council regarding virtual public consultation in relation to the proposed redevelopment scheme at Oakley's Garage (the subject of this planning application);
2. Rother HELAA representations in favour of allocating the application site for housing development.
3. Draft Burwash Neighbourhood Plan representations in favour of allocating the application site for housing development;
4. Marketing Particulars for the application site (Linays Estate Agents).

1. INTRODUCTION

- 1.1 This Planning, Design and Access Statement accompanies a full planning application submitted to Rother District Council on behalf of Simon Bowyer (the owner of SB10 Construction Ltd). The application relates to a vacant site known as Oakley's Garage in Burwash, which was previously occupied as a commercial garage providing MOT testing and car sales (and once provided petrol sales). The proposal is to demolish the existing garage building and clear the site to provide residential terraced housing comprising 3 x 3 bedroom and 4 x 3 bedroom dwellings, together with associated car parking and landscaping.
- 1.2 This Planning, Design and Access Statement describes the site and surrounding area and explains the redevelopment scheme before examining the planning policy and other material considerations that have been taken into account in preparing and submitting the proposal. The final section provides a summary with conclusions.

Site location plan – Drawing no. BUR.S.01



2. THE APPLICATION SITE AND SURROUNDING AREA

i) The application site

2.1 The 0.14 hectare application site contains linked single storey buildings (photographs 1) previously used as a garage providing MOT testing and car sales. Although the garage services once included forecourt sales, this ceased some 25 years ago and the garage business itself ceased in April 2016. The property has remained disused ever since.

2.2 The site is situated on the southern side of the A265 (High Street) on the western side of Burwash, with a loading yard at the front. The part of the site once used for petrol sales has three disused underground fuel tanks, which were formally discontinued and correctly filled in by professional contractors in the 1990s. There is a further yard area to the rear of the site which was used to store and park vehicles, including those for sale and those awaiting an MOT or repair. Access to this rear part of the site is from a road known as

Highfields, which runs along the south western boundary of the application site (photograph 2). There are also five lime trees on the north eastern side of the Highfield running parallel to the south western boundary of the application site.

2.3 The building is of concrete frame construction, with three single storey, pitched roof bays at the front (from east to west) and a single bay flat roof extension to the rear. The elevations are faced with brickwork with timber framed single glazed windows. This linked, pitched roofs are covered with asbestos sheeting.

2.4 The front part of the building was previously used as an office and for car sales (photograph 3). The open plan workshop at the rear provided for vehicle maintenance and includes testing pits used for car repairs and MOT testing (photograph 4).

2. THE APPLICATION SITE AND SURROUNDING AREA

Photograph 1 – Oakley's Garage



Photograph 3 – Front office / car sales area



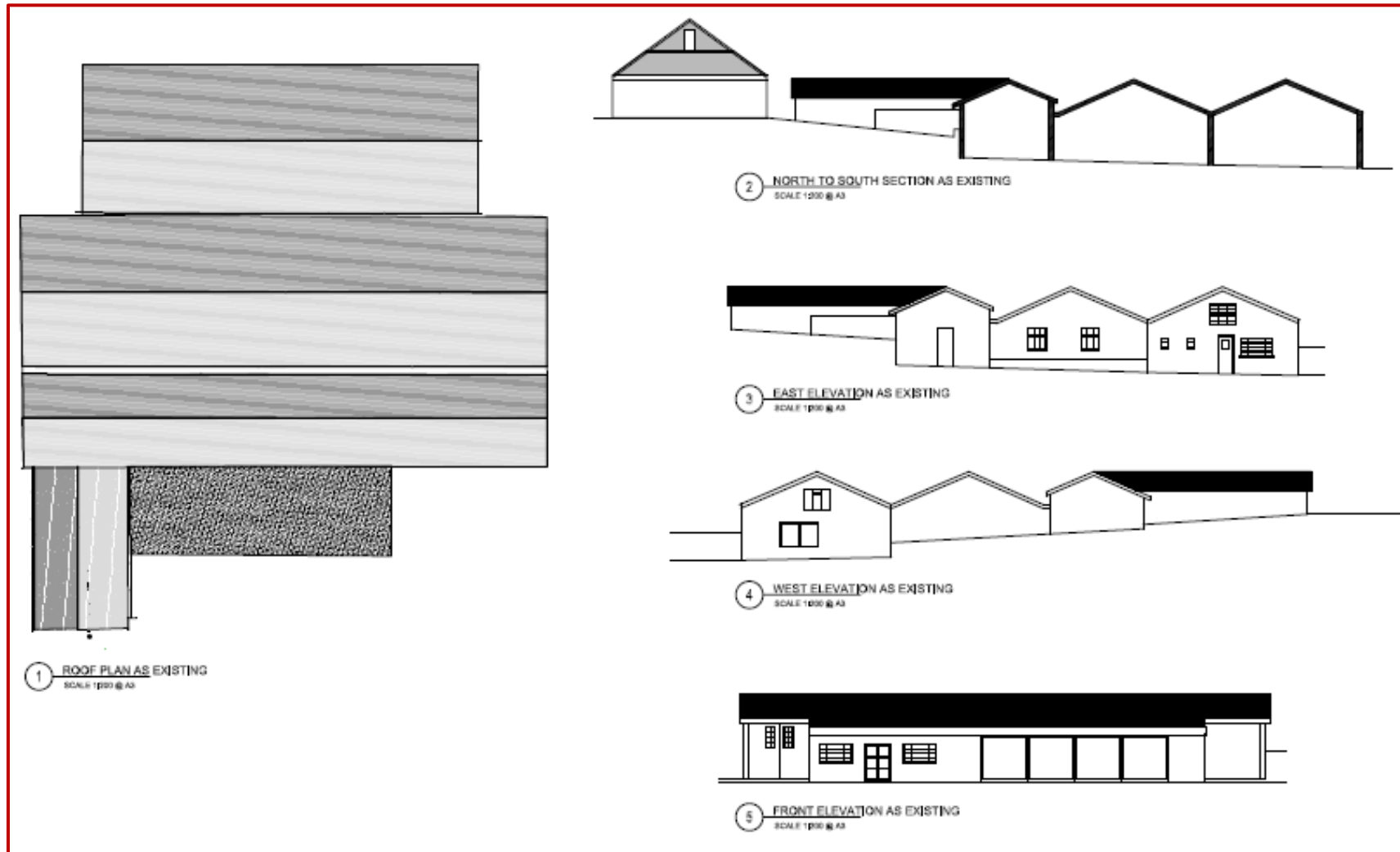
Photograph 2 – Former garage parking area at the rear



Photograph 2 – Workshop and MOT testing area



2. THE APPLICATION SITE AND SURROUNDING AREA



2. THE APPLICATION SITE AND SURROUNDING AREA

ii) The surrounding area

2.5 Burwash is a historic ridge-top Sussex village, with the older established part forming a ribbon of development along both sides of the A265. The Burwash Conservation Area is located to the east of the application site, which comprises an eclectic mix of historic and more modern terraced, semi-detached and detached two and three storey dwellings, primarily faced with a combination of red brickwork, clay hanging tiles and white painted timber weatherboarding.

Photograph 5 – View of Burwash looking west



2.6 Situated at the eastern end of the village, the immediate surrounding area is primarily residential in character with a cul-de-sac located to the south west of the application site at Highfields, which comprises rows of terraced housing in a circular layout. Immediately to the south (rear) of the site is a detached bungalow known as Cairndale.

2.7 The village hall is located to the west of the site, beyond a chalet bungalow-style property known as Star Cottage, with a private driveway running along the eastern boundary of the site. On the opposite side of the A265 to the north are three houses known as Cortland House, The Old Orchard and 1 – 5 St Annes Green, with additional detached housing beyond.

2. THE APPLICATION SITE AND SURROUNDING AREA

Photograph 6 – View towards The Old Orchard looking east (with the application site beyond)



Photograph 7 – View towards the village looking east from outside the application site

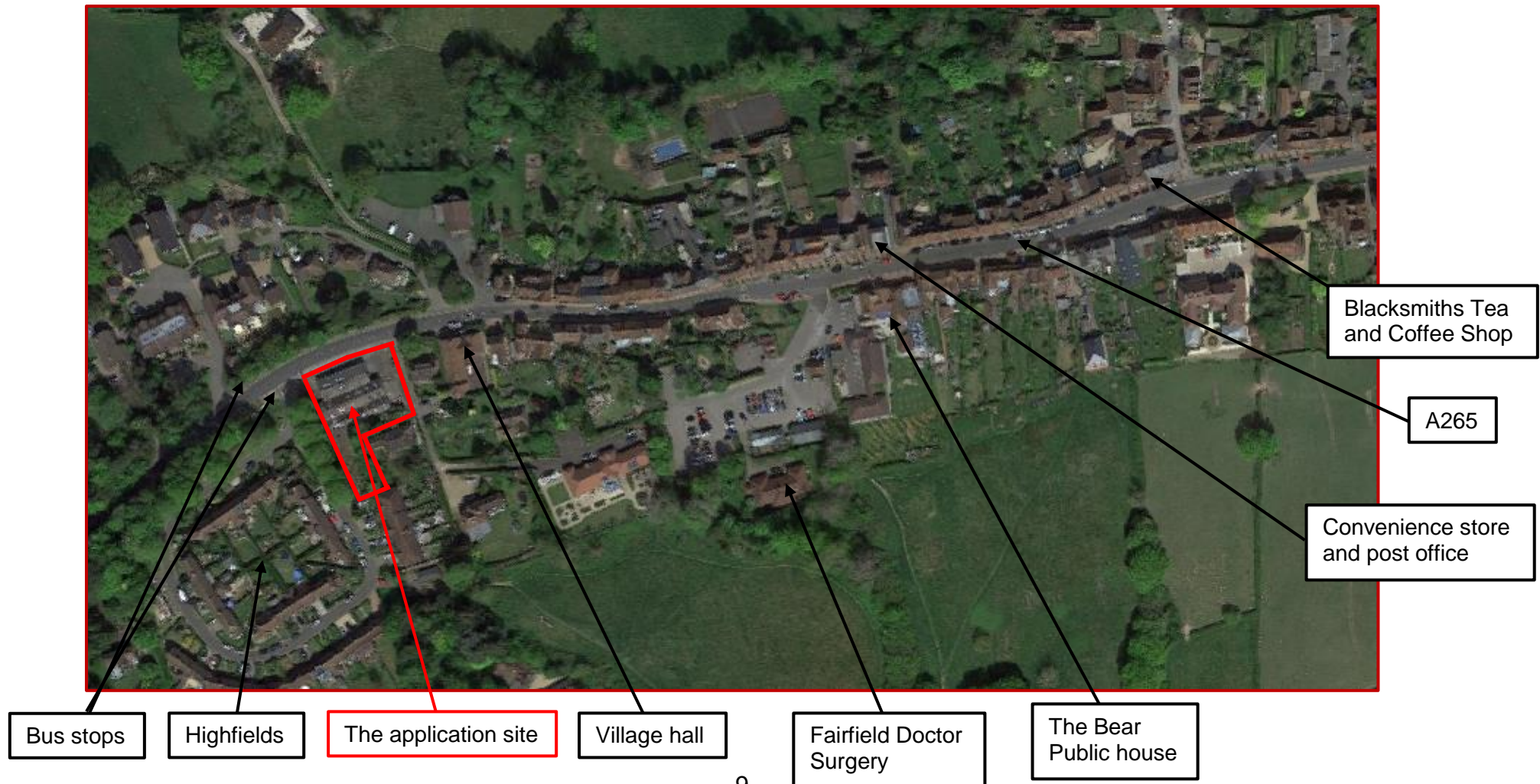


Source: Google Maps

- 2.8 The site is within easy walking distance of the village centre to the east, linked via a paved roadside pathway on both sides of the road. Services and amenities in the village include a convenience store and post office, doctor surgery, public house, village hall, café and other boutique shops. A BP petrol station and convenience store is also located within a short distance to the west, as is Burwash Primary School to the east.
- 2.9 Two bus stops on each side of the A265 adjacent to the application site provide services to Uckfield, Heathfield and Etchingham. Etchingham train station provides regular services to London, Tunbridge Wells and Hastings.

2. THE APPLICATION SITE AND SURROUNDING AREA

Photograph 8 – Aerial view of the application site and surrounding area

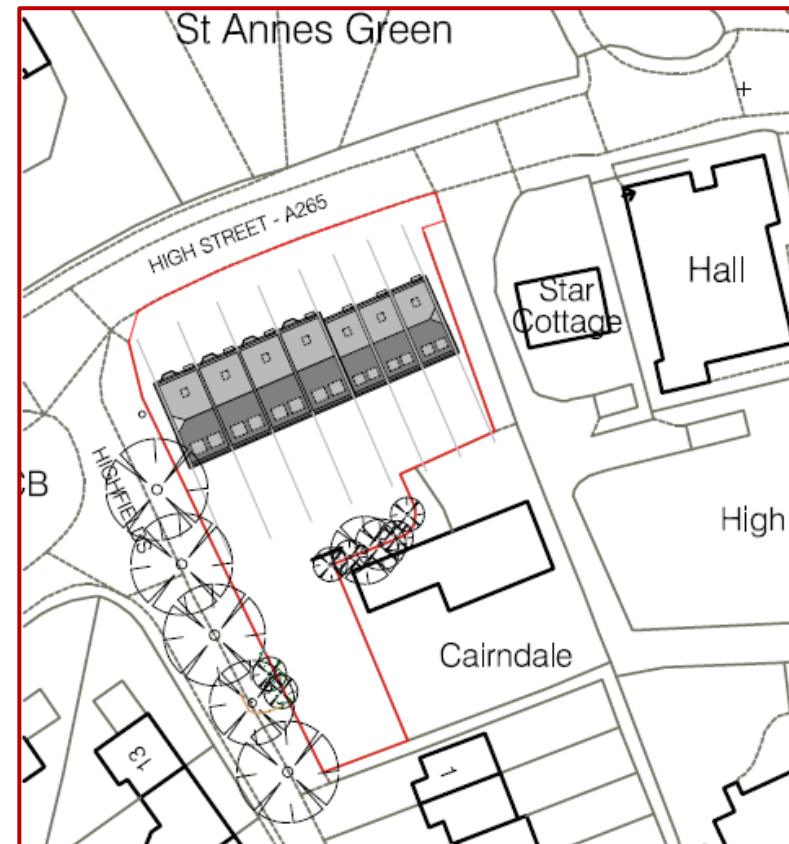


3. THE PROPOSED REDEVELOPMENT SCHEME

- 3.1 The proposal is to redevelop the vacant site to provide a residential terrace comprising 3 x 3 bedroom and 4 x 4 bedroom dwellings (to be known as Oakley's Court). The terrace would be stepped in shape, with the larger four bedroom units to the east and smaller three bedroom units to the east. Each property would have pedestrian access to the front leading into a small front garden area, enclosed by a small white picket fence. Each dwelling would also have private patios and garden areas to the rear of each house.
- 3.2 There would be shared pedestrian access around the western side of the terrace providing access to the parking area and rear garden areas, which would include covered bike sheds together with bin storage.
- 3.3 An existing vehicular access would be used from Highfields off the south western boundary to serve an allocated

parking area at the rear of the site providing 14 parking spaces (2 allocated spaces per dwelling).

Proposed block plan – Drawing no. BUR.S.01



3. THE PROPOSED REDEVELOPMENT SCHEME

Proposed site layout plan – Drawing no. BUR.S.PR.1



3. THE PROPOSED REDEVELOPMENT SCHEME

- 3.4 The proposed terrace would be two storeys in height, with a 45 degree pitched roof with 'barn-style' hipped elements at both ends of the terrace. The terrace would be separated into two sections in order to break up the street scene, with the smaller three bedroom units at the eastern end and the four bedroom units at the western end.
- 3.5 The terraced building would occupy a footprint of some 34.4m long and between 9.5m and 10.5m in depth. Measures from the finished ground level, the terrace would have an eaves height of 4.7m and a ridge heights of between 10m – 10.4m.
- 3.6 Each unit would have an oak panelled front door with a flat roof porch overhang above. There would be sash windows on the front, rear and side elevations, with a small gable dormer sash window within the front roof slope of each unit. The roof would be covered with clay tiles. The rear elevation would have sliding glazed doors with sash windows above and two skylights within the roof slope of each unit. The two flank elevations would each have a single sash windows lighting a staircase at the eastern end and a bedroom at the western end.
- 3.7 The three, three bedroom units at the eastern end would be faced with brickwork at ground floor level with tile hanging above, which would extend around the northern (side) elevation and rear elevation of these units. The two central (four bedroom) units would also have brickwork at ground floor level, incorporating a projecting bay window. The first floor level would be white weatherboarding, which would also be repeated at the centre of the rear elevation. The two western, four bedroom units would have matching brickwork and bay windows at ground floor level, with tile hanging above which would continue around the southern (side) elevation and rear elevations.

3. THE PROPOSED REDEVELOPMENT SCHEME

Proposed front elevation – Drawing no. E.F.1



Proposed rear elevation – Drawing no. E.R.1

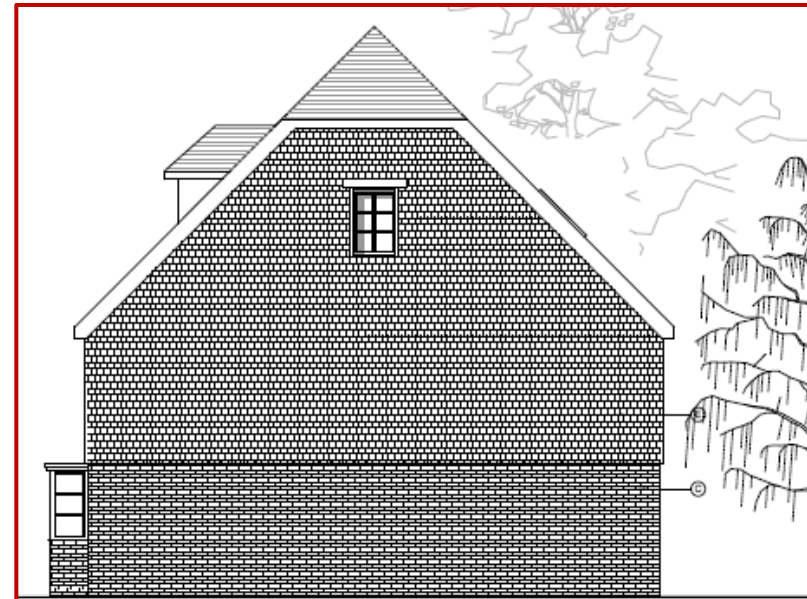


3. THE PROPOSED REDEVELOPMENT SCHEME

Proposed eastern side elevation – Drawing no. E.S.1.A



Proposed western side elevation – Drawing no. E.S.1.A



3. THE PROPOSED REDEVELOPMENT SCHEME

Computer Generated Image of the front elevation



NB: This illustration provides a coloured 3-D image of the proposed development and does not accurately depict the surrounding area

3. THE PROPOSED REDEVELOPMENT SCHEME

Computer Generated Image of front elevation looking east when entering the village from the west



NB: This illustration provides a coloured 3-D image of the proposed development and does not accurately depict the surrounding area

3. THE PROPOSED REDEVELOPMENT SCHEME

Computer Generated Image of front elevation looking west when leaving the village from the east



NB: This illustration provides a coloured 3-D image of the proposed development and does not accurately depict the surrounding area

3. THE PROPOSED REDEVELOPMENT SCHEME

- 3.8 Internally the three bedroom units would all match each other in terms of their layout, as would the four bedroom units.
- 3.9 The front entrance door of the three bedroom units would lead into a small hallway with the staircase immediately ahead on the left side and a kitchen and dining area on the right side, with a living room area at the rear with bi-folding doors leading out onto the rear patio and garden area. At first floor level, the staircase would lead onto a small landing area providing access to two bedrooms with a family bathroom at the front of each property. The second floor (within the roof void) would contain the master bedroom with en-suite bathroom, both served by a roof light each.
- 3.10 The front entrance to the four bedroom units would lead into a large hallway area with the stairs on the left side and the living room on the right side. There would be a utility area at the centre on the right side with an open plan kitchen and

dining area to the rear, with the sliding doors beyond. At first floor level, the landing area would provide access to two double bedrooms and one single bedroom, with a shared family bathroom at the front of each property. The second floor within the roof void would have a similar layout as the two bedroom units, albeit slightly larger.

3. THE PROPOSED REDEVELOPMENT SCHEME

Proposed ground floors – Drawing no. G.1

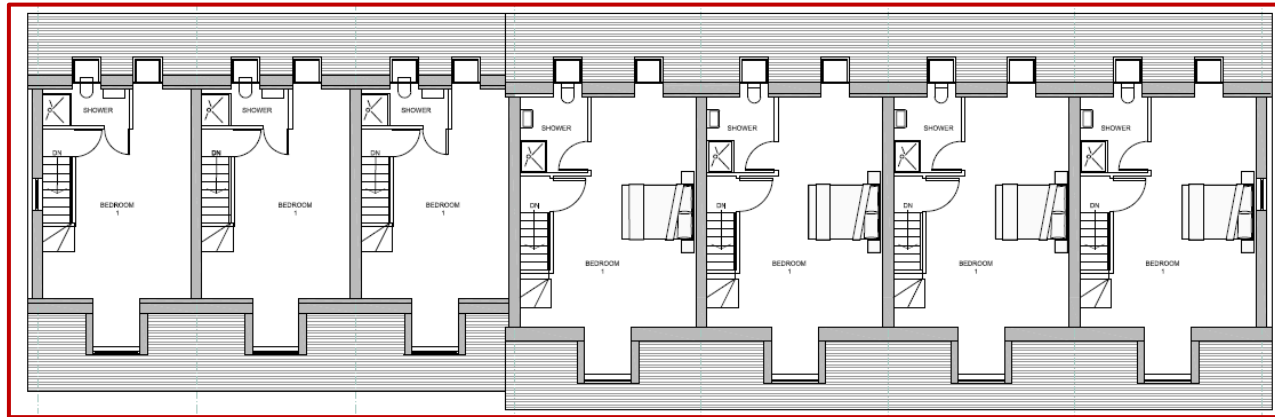


Proposed first floors – Drawing no. F.1

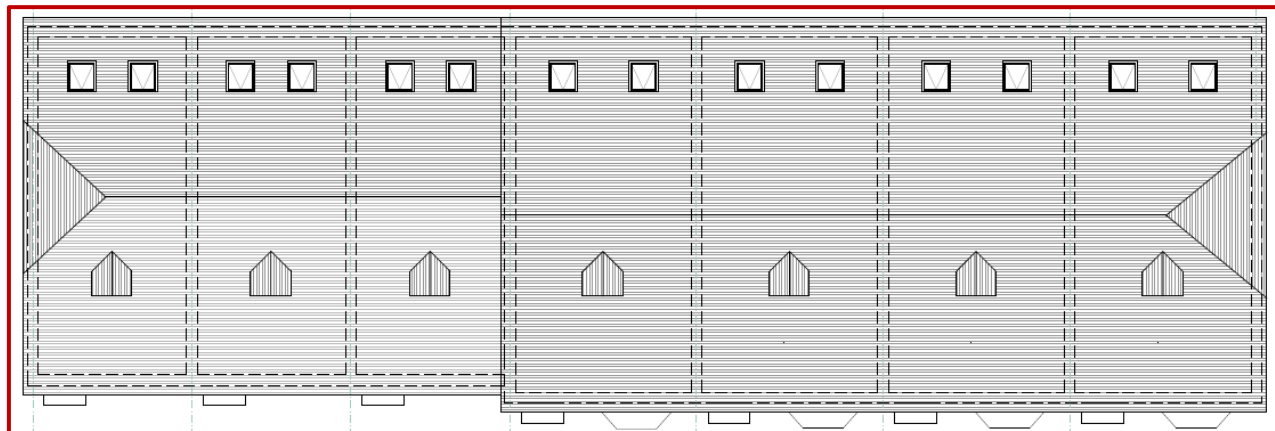


3. THE PROPOSED REDEVELOPMENT SCHEME

Proposed second floors – Drawing no. S.1



Proposed roof plan – Drawing no. F.1



4. PUBLIC CONSULTATION AND COMMUNITY INVOLVEMENT

- 4.1 Although the redevelopment scheme is not a 'major' planning application as it is for less than 10 units, given the nature of the site and its historic high street setting, the Applicant has considered it important to canvass local opinion on the scheme prior to submitting the planning application.
- 4.2 As such, provisional scheme drawings were forwarded to Burwash Parish Council for a discussion at their Planning Committee meeting on 26th January 2021. Following this meeting, a further meeting was set up with local residents including the Burwash Save Our Fields Action Group and Councillors Mrs Kirby-Green and Mr Barnes. The feedback was positive, although some minor design changes were requested which have been incorporated into the submitted scheme.
- 4.3 Amended scheme drawings were resubmitted to the Parish Council for discussion prior to the Council meeting on 15th February 2021, which resulted in no further design changes being suggested.
- 4.4 A virtual public exhibition was held on Microsoft Teams (due to lockdown restrictions) on 17th February 2021. This was advertised on the Parish Council Website (see **Appendix 1**) in order to give local residents the opportunity to make any final comments on the scheme design prior to submission, which was attended by a number local residents although no significant design amendments were requested.
- 4.5 In addition to making various design changes following the public consultation, the proposed dwellings would also be named 'Oakley's Court' or similar in order to reflect the

4. PUBLIC CONSULTATION AND COMMUNITY INVOLVEMENT

history of the site, which is a suggestion that has been positively received by local residents.

- 4.6 Due to limited staff resources during the COVID-19 Pandemic, Rother District Council temporarily suspended their pre-application consultation service in February 2021 prior to the scheme drawings being finalised following the public consultation in February 2021. The Applicant therefore, progressed to the submission of the full planning application.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

i) Statutory Provisions and Planning Policies

5.1 Section 70 (2) of the Town and Country Planning Act 1990 requires planning applications and decisions to have regard to the provisions of the development plan so far as they are material to the proposal. Other relevant material considerations must also be taken into account. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that *“if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.

5.2 The relevant part of the Development Plan for the area comprises the Rother Core Strategy (adopted in September 2014) and the Development and Site Allocations Local Plan (DaSA) adopted in December 2019.

5.3 Relevant Core strategy Policies are;

- PC1 (Presumption in Favour of Sustainable Development);
- OSS2 (Use of Development Boundaries);
- OSS3 (Location of Development);
- OSS4 (General Development Considerations);
- RA1 (Villages);
- SRM2 (Water Supply and Wastewater Management);
- LHN1 (Achieving Mixed and Balanced Communities);
- LHN2 (Affordable Housing);
- EC3 (Existing Employment Sites);
- EN3 (Design Quality);
- EN5 (Biodiversity and Green Space);
- EN7 (Flood Risk and Development);
- TR3 (Access and New Development) and
- TR4 (Car Parking).

5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.4 Relevant DaSA Policies include;

- DEN1 (Maintaining Landscape Character);
- DEN2 (The High Weald Area of Outstanding Natural Beauty);
- DEN5 (Sustainable Drainage);
- DHG1 (Affordable Housing)
- DHG3 (Internal Residential Space Standards);
- DHG4 (Accessible and Adaptable Homes);
- DHG7 (External Residential Areas);
- DHG11 (Boundary Treatments);
- DHG12 (Accesses and Drives);
- DEN4 (Biodiversity and Green Space);
- DEN5 (Sustainable Drainage);
- DEN7 (Environmental Pollution)
- DIM2 (Development Boundaries);
- DCO1 (Retention of Sites of Social or Economic Value);
- DEC3 (Existing Employment Sites and Premises) and

- OVE1 (Housing supply and delivery pending plans).

5.5 As part of the update to the Local Plan, the Council is required to undertake a Housing and Economic Land Availability Assessment (HELAA), which will assess the development potential of sites for housing and economic land across the District and consider whether they are suitable, available and achievable for development.

5.6 As such, the Council undertook a Call for Sites exercise between October and December 2020 (although new sites are still being accepted). Representations were submitted promoting the application site on behalf of the Applicant and these are reproduced in **Appendix 2**.

5.7 Burwash Parish Council have produced a Neighbourhood Plan which has been submitted to Rother District Council for a formal Examination, which is

5. PLANNING POLICY AND OTHER CONSIDERATIONS

currently awaited. Relevant draft Policies are listed below;

- GP01 Protection of the Area of Outstanding Natural Beauty (AONB) landscape;
- GP02 Views into and from the AONB;
- GP04 Development boundaries;
- GP05 Design standards;
- GP08 Sustainable development;
- HO01 Housing tenure and mix;
- EN06 Integration of landscaping;
- IN02 Parking;
- IN04 Retention of existing business premises.

5.8 The submission version of the Neighbourhood Plan does not include any sites to be allocated for housing within the village. While the application site has previously been identified as a potential development site, it was not considered to be deliverable at the time the draft

Neighbourhood Plan was submitted for Examination. However, this position has now changed as the site is now available, achievable and deliverable and the Applicant has made representations during the last round of the draft Plan's public consultation to confirm this.

5.9 Other material policy considerations include the National Planning Policy Framework (NPPF) updated in February 2019. Relevant parts of the Framework include;

- 2 – Achieving sustainable development;
- 5 – Delivering a sufficient supply of homes;
- 8 – Promoting healthy and safe communities;
- 11 – Making an effective use of land;
- 12 – Achieving well-designed places;
- 15 – Conserving and enhancing the natural environment;

5. PLANNING POLICY AND OTHER CONSIDERATIONS

- 16 – Conserving and enhancing the historic environment.

5.10 In addition, the High Weald Management Plan and the High Weald Housing Design Guide together with the East Sussex Guidance for Parking at Residential Development SPD are also material planning considerations.

ii) Housing land supply

5.11 For decision taking, paragraph 11 d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are substantially out-of-date, there is a presumption in favour of granting planning permission unless:

- i) The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

5.12 Paragraph 123 of the NPPF states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that housing scheme make optimal use of suitable housing land.

5.13 Government planning policies require local authorities to be able to demonstrate a five year supply of housing land.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

As stated in Council's most recent Annual Monitoring Report 2019/20 (November 2020) however, at 1st April 2020 the Council could only demonstrate a housing land supply of 2.87 years (including a 20% buffer). Consequently, planning policies relating to the supply of housing must be considered as being out of date (as confirmed by Paragraph 11 d) of the NPPF).

5.14 The Council's Annual Monitoring Report 2019.20 states that;

"There are 2,535 dwellings on identified sites that are considered available, suitable and achievable now, which is some 1,881 dwellings (43%) less than the 4,416 dwellings required to be deliverable within the next five years, including a 20% buffer. This equates to some 2.87 years' worth of housing land supply. This is a notable

decrease from the 3.73 years' worth of supply at April 2019, this impact is primarily down to the requirement to use the standard method figure rather than the adopted Core Strategy target (accounting for any undersupply).

It is concluded that there is currently an insufficient supply of deliverable housing sites to meet the five-year housing land supply requirement in accordance with paragraph 73, or a three-year housing land supply in accordance with paragraph 14c of the NPPF."

5.15 In addition, the Housing Delivery Test (HDT) has been introduced by the Government as a monitoring tool to demonstrate whether planning authorities are building enough homes to meet their housing need. The HDT compares the number of new homes delivered over the previous three years with the authority's housing requirement. The result of the HDT is used to determine

5. PLANNING POLICY AND OTHER CONSIDERATIONS

the buffer to apply in housing land supply position statements and whether the presumption in favour of sustainable development should apply.

5.16 In January 2021 the Government published the HDT results for the 2020 Measurement. Against a requirement of 1,035 dwellings over the last three years, Rother delivered 670 net dwellings (i.e. just 65% of the requirement). As such, the Council is one of 55 local authorities in the country where the presumption in favour of sustainable development now applies.

5.17 Following consecutive years of failing to deliver at least 70% of the total housing target for the District, the Council have been required to provide an Action Plan with the most recent being published in August 2020. This identifies the measures the Council intends to undertake to increase the delivery of new housing in the District.

5.18 These measures include (but are not limited to) the *“identification of more “small site” development opportunities”* and *“proactively negotiating with developers and landowners to bring forward key development sites”*.

5.19 The application site comprises a disused, brownfield site at a sustainable village location within the built-up confines of Burwash. Although the High Weald Area of Outstanding Beauty (HWAONB) designation washes over most of Rother District, including Burwash the current vacant and disused appearance of the site substantially detracts from the character of this part of the village and its wider setting. This proposal provides an important opportunity to demolish the existing building and clear the site to provide much needed new housing in the form of 7 terraced properties that will be fully in keeping with the rest of the village and substantially

5. PLANNING POLICY AND OTHER CONSIDERATIONS

improve the character and appearance of this part of the HWAONB. Therefore, the presumption should be firmly in favour of granting planning permission for the proposed housing scheme.

iii) The principle of developing the application site

5.20 Core Strategy Policy OSS2 states that *“development boundaries around settlements will continue to differentiate between areas where most forms of new development would be acceptable and where they would not”*. Policy OSS3 aims to make an *“effective use of land within the main built-up confines of towns and villages.”*

5.21 DaSA Policy OVE1 states that until such time as a Neighbourhood Plan for the relevant settlement where outstanding Core Strategy housing requirement remains

in place, planning applications will be favourably considered for development proposals where they contribute to meeting the settlement’s housing target and accord with the relevant spatial strategy and comply with other relevant policies of the Core Strategy, including the considerations set out in OSS2 and OSS3.

5.22 As the previously developed site is located within the built-up confines of Burwash and within a close proximity of the local services and amenities of the village, the creation of new housing on the application site must be considered acceptable in principle, subject to the benefits of the proposal outweighing any harm.

iv) The loss of an existing employment site

5.23 The Rother Core Strategy (2014) set a target of 10,000 sq m of employment space to be delivered in ‘Rural

5. PLANNING POLICY AND OTHER CONSIDERATIONS

Areas' (including Burwash) between 2011 and 2028. The Employment Land Supply Position Statement (April 2020) confirmed that 10,680 sq m of employment floorspace had been delivered by 31st March 2020 and therefore, the minimum target had already been met with some 8 years of the Local Plan period remaining.

5.24 In addition, a total of 20,578 sq m is due to be completed, is in progress, or is permitted in Rural Areas across the District, which means that the total projected delivery in Rural Areas is already some 106% ahead of the minimum target with some 8 years of the plan period remaining. This suggests that the loss of some 604 sq m of disused and derelict employment space on the application site would not have a materially harmful impact upon the overall employment space provision in the District.

5.25 Irrespective of the strength of employment floorspace supply during the Core Strategy plan period, DaSA Policy DEC3 i) states that land and premises currently (or last) in employment should be retained in such use unless it is demonstrated that there is no reasonable prospect of its continued use for employment purposes or it would cause serious harm to local amenities.

5.26 Policy DCO1 states that proposals that involve the loss or diminution of sites of social or economic value, including those last in such use, must demonstrate that there is no reasonable prospect of a continued use. This must be backed up by evidence of a comprehensive and sustained marketing campaign, which clearly indicates a lack of demand for the existing use (or as an alternative commercial or community facility, where appropriate), based on marketing, normally at least 18 months and that the land or unit is offered for sale, or

5. PLANNING POLICY AND OTHER CONSIDERATIONS

rental, at a realistic valuation of the site/premises for that use.

5.27 The most recent business use on the application site (as a garage and MOT testing centre) ceased in April 2016 and the site has been vacant ever since. As such, the Applicant instructed commercial estate agent Linays Commercial to commence marketing the site in April 2018. A Marketing Report by Linays which summarises the extensive marketing process to date has been submitted with this planning application.

5.28 In summary, formal marketing commenced on 11th April 2018 with a quoting price of £850,000 (the marketing particulars are contained in **Appendix 3**). This included the property being marketed on Linays' website together with being listed on other property advertising platforms such as Right Move. A 'For Sale' board was also erected outside the property. The marketing particulars were

also circulated to London estate agents and commercial agents, including those specialising in roadside and motor related activities. In addition, details were distributed to local estate agents and commercial agents in the local area including Hastings, Brighton, Crawley and Croydon.

5.29 This ensured that the opportunity gained maximum marketing exposure and that any interested commercial occupiers would be able to obtain information about the property and make enquiries if interested.

5.30 Although an initial offer was received from a firm of property developers, this was not progressed and no formal negotiations took place. Due to the lack of any commercial interest, the marketing price was reduced to £650,000. This increased the number of enquiries, although these were heavily weighted towards property

5. PLANNING POLICY AND OTHER CONSIDERATIONS

developers as opposed to any genuine commercial occupiers.

5.31 Eventually, provisional terms were agreed with a new party seeking to redevelop the application site, but the prospective purchasers eventually withdrew from the sale over concerns relating to potential ground pollution and contamination arising from the previous garage use.

5.32 Provisional terms were eventually agreed with a third party during the third quarter of 2019 (with the property having been openly marketed for 18 months at this stage), with a short exclusivity period being agreed (although the property continued to be marketed during this period). However, following a pre-application consultation the purchasers withdrew from the sale.

5.33 Finally, terms were agreed with the Applicant during the summer of 2020, some 27 months after the property was

marketed. While the property is now listed as being 'Under Offer' on Linays' website, the For Sale board continues to be erected on the front elevation of the property with any enquiries continued to be registered, although it is understood that no genuine enquiries have been registered during this period.

5.34 Therefore, the property has now been extensively marketed for a period of more than 32 months, significantly in excess of the 18 month period required by Policy DCO1. Overall, a total of 39 initial enquiries have been registered in relation to this property, although importantly, only 12 enquires (30.7%) were made from commercial or business occupiers (with intended uses including the storage of cars and vans, car sales, general storage and a gymnasium), with the remainder being from residential developers.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.35 Indeed, no viable offers have been received from any business or employment occupiers during the past 32-month marketing period, with feedback suggesting that the significant amount of investment required in the building, together with potential pollution and contamination concerns being the key issues as to why no business occupiers proceeded beyond initial enquiries. This extensive marketing over a long period clearly demonstrates that the continuing employment use of the site is no longer viable and therefore, alternative uses should be considered.

5.36 Policy DEC3 iv) states that where continued employment use of a site or premises is demonstrated not to be viable and if a mixed-use scheme is not viable, the Council will prioritise alternative community uses, affordable housing and then market housing, subject to local needs.

5.37 However, given the acute housing land supply shortfall in the District and as no housing site allocations have been identified within the draft Burwash Neighbourhood Plan, the tilted balance is firmly in favour of new housing as opposed to any other use.

v) Affordable housing

5.38 DaSA Policy DHG1 states that the affordable housing threshold in rural areas within the High Weald Area of Outstanding Natural Beauty (HWAONB) is 6 or more dwellings (more 0.2 hectares or more), with an on-site contribution of 40% being required.

5.39 The Policy goes on to state that “*where it can be demonstrated that these requirements would either render otherwise suitable development unviable, or where the local need for affordable housing would no*

5. PLANNING POLICY AND OTHER CONSIDERATIONS

longer justify the above levels, the Council will respectively expect the proportion of affordable housing to be the most that does not undermine viability, or is needed locally.”

5.40 Given the very significant abnormal costs associated with this redevelopment opportunity which include (but are not limited to); to removal of three disused below ground fuel tanks, the removal of asbestos, the demolition of the existing building and the remediation of the site, the provision of on-site affordable housing is not financially viable on this occasion. Therefore, a Financial Viability Assessment has been submitted with the application to determine the off-site financial contribution to affordable housing which might be made should the application be approved.

5.41 It should be noted that the existing buildings on the site give rise to an allowance for Vacant Building Credit (with

the Community Infrastructure Levy being liable separately). Therefore, while the affordable housing provision requirement would normally be 2.8 units under the provisions of DaSA Policy DHG1, the application of the Vacant Building Credit reduces this down to 0.8 units.

5.42 A detailed financial appraisal has been undertaken within the submitted Financial Viability Assessment, which concludes that the maximum off-site financial provision for affordable housing would be £33,223. The level of off-site contribution is to be agreed with the Council and this can be formalised as part of an appropriately worded planning obligation.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

vi) Density and housing mix

5.43 During the public consultation exercise, some comments were made suggesting that the proposal might comprise a slight overdevelopment of the site. However, the proposed site density is 20 dwellings per acre which is suitable in this central village location, with Paragraph 123 of the NPPF specifically requiring housing scheme to make an optimal use of suitable housing sites as far as reasonably possible in areas with a housing land supply shortfall.

5.44 Indeed, each dwelling would have a rear garden area of at least 10m, with two allocated parking spaces per dwelling. Each unit would comfortably meet the Nationally Described Internal Space standard and there is sufficient space to provide bike and bin stores within the rear garden areas of each property. Therefore, the

proposal would not comprise an overdevelopment of the site.

5.45 Core Strategy Policy LHN1 states that *“in order to support mixed, balanced and sustainable communities, housing developments should be of a size, type and mix which will reflect both current and projected housing needs within the district and locally and in rural areas, provide a mix of housing sizes and types, with at least 30% one and two bedroom dwellings (being mostly 2 bed)”*.

5.46 As the proposed scheme comprises a mix of three and four bedroom properties, this is a matter which has been discussed at length with the Parish Council, Local Councillors and local residents. Although the housing mix would not provide 30% 1 and 2 bedroom properties required by Policy LHN1, the scheme would comprise terraced properties with very modest floorplates so they

5. PLANNING POLICY AND OTHER CONSIDERATIONS

would not command the same sales figures as other larger and detached three and four bedroom properties within the village and wider District.

5.47 Indeed, the only difference between the scheme comprises two and three bedroom units is the utilisation of the roof space to provide an additional bedroom (the roof pitches would be the same either way in order to be in line with the High Weald Housing Design Guide) and thus, the Applicant has simply sought to maximise the floorspace available in order to provide additional family accommodation for future occupiers, which would still be affordable to the local community compared to other properties in the District.

5.48 Indeed, as part of the public consultation exercise the Applicant has already received a number of enquiries from local residents and families, indicating that the proposed dwelling mix would be highly demanded by the

local community. As such, following the most recent conversations with the Parish Council and Local Councillors, it appears as though the proposed housing mix has now broadly been accepted.

vii) **Impact upon the character and appearance of the area**

5.49 Core Strategy Policy OSS3 ii) seeks to ensure that development respects and does not detract from the character and appearance of the locality. Policy OSS4 states that development should be compatible with both the existing and planned use of adjacent land. Core Strategy Policy EN3 requires new development to be of high-quality design, contributing positively to the character of the site and surroundings by improving areas of poor visual character.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.50 The application site is located within the High Weald Area of Outstanding Natural Beauty (HWAONB), as is the whole of Burwash village and the surrounding area. The High Weald Management Plan seeks to demonstrate a consistent approach to planning across the HWAONB, allowing for appropriate housing and economic needs of thriving communities and the land-based sector without compromising the characteristic historic settlement pattern. In addition, Objective S3 seeks to enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design.

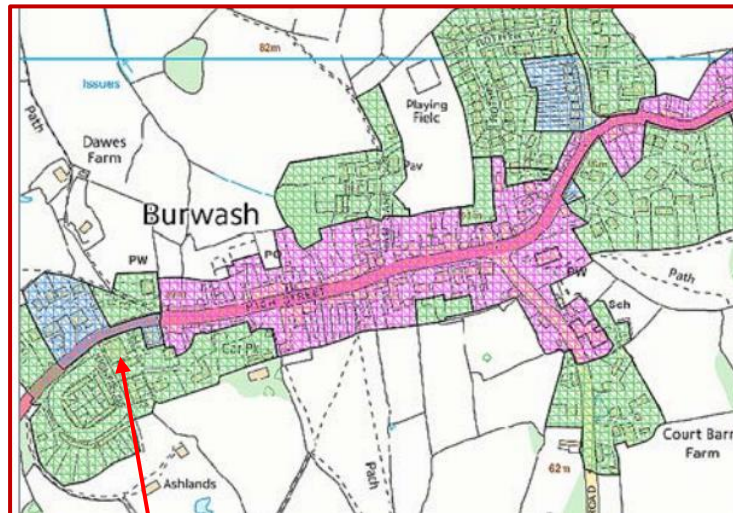
5.51 The High Weald Housing Design Guide has been carefully considered by the scheme architect informing the proposed building design and site layout. The Guide describes Burwash as *“a village in East Sussex with the mediaeval core following the line of the main routeway*

along the Heathfield Ridge. The core of the village is characterised by tight-knit linear built frontage, common to the many settlements within the High Weald which follow the ridgetops. More modern development tend to ‘spill’ down the slopes, contrary to this historic settlement pattern within the landscape.”

5.52 The application site is considered to be within the ‘modern’ part of the village.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

Extract from page 7 of the Housing Design Guide



The application site

Key	
	Epoch 1 (1863-1894)
	Epoch 3 (1909-1912)
	OS (modern)

5.53 In terms of the design and facing materials, page 28 of the Design Guide provides case studies for new terraced development within the HWAONB, stating that *“terraces are common throughout the High Weald, but of a particular built form. To reflect the local characteristic, they should sit as part of a strong streetscene of regular rhythm, a series of attached houses, rather than a ‘stand-alone’ symmetrical building with a central feature.”*

Extracts from page 28 of the Design Guide



5. PLANNING POLICY AND OTHER CONSIDERATIONS



5.54 In terms of facing materials, page 34 of the Design Guide suggests a combination of clay roofs and tile hanging, clay bricks and white painted weatherboard cladding. Each elevation should contain a mix of materials, ideally with brickwork at ground floor level with either weatherboarding or clay hanging tiles.

5.55 The existing building is in a poor state of repair and its derelict nature is a visual blight at the western entrance of the Burwash Conservation Area (some 45m to the east) and the wider HWAONB. This proposal therefore presents a key opportunity to replace the existing building with a high quality residential scheme which makes an optimal use of the site in a distinctive form that will substantially enhance the character and appearance of this part of the village.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.56 A character assessment of the surrounding area and the properties along the High Street has been undertaken to ensure that the most representative design features and palate of materials are sensitively incorporated into the scheme.

5.57 As demonstrated by photographs 8 – 13, Burwash High Street is characterised primarily by close knit, terraced and semi-detached properties faced with a range of stock brickwork, clay tile hanging and white painted weatherboarding.

Photographs 8 - 11 – Existing buildings along Burwash High Street



5. PLANNING POLICY AND OTHER CONSIDERATIONS

Photographs 12 & 13 – Existing buildings along Burwash High Street



5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.58 Influenced by local building vernacular, the scheme has used red brickwork at ground floor levels, with a combination of clay tile hanging and white painted weatherboarding at first floor levels. In addition, the front building line of the three bedroom units would be set back slightly from the four bedroom units, so as to break up its mass and scale within the street scene as well as creating visual interest. Other architectural features in the local vernacular include flat roof porch canopies, sash windows, bay windows and gable dormers.

5.59 The proposed design and contribution made to the visual enhancement and distinctiveness of this important site, is another factor that weighs in favour of the scheme.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

Front elevation of existing building



(Google Maps)

CGI of front elevation



NB: This illustration provides a coloured 3-D image of the proposed development and does not accurately depict the surrounding area

5. PLANNING POLICY AND OTHER CONSIDERATIONS

Front elevation of existing building looking east towards the village



(Google Maps)

CGI of front elevation looking east towards the village



NB: This illustration provides a coloured 3-D image of the proposed development and does not accurately depict the surrounding area

5. PLANNING POLICY AND OTHER CONSIDERATIONS

Front elevation of existing building looking west away from the village



(Google Maps)

CGI of front elevation looking west away from the village



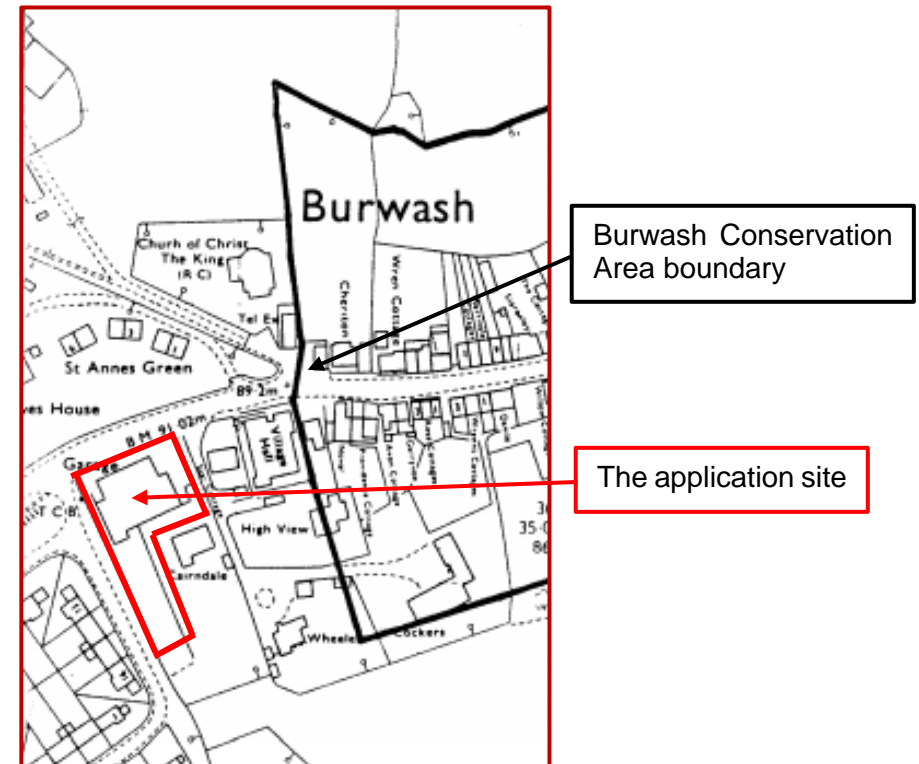
NB: This illustration provides a coloured 3-D image of the proposed development and does not accurately depict the surrounding area

5. PLANNING POLICY AND OTHER CONSIDERATIONS

viii) Impact upon heritage assets

5.60 The application site is not located within the Burwash Conservation Area (as demonstrated opposite), nor is it within a close proximity of any listed buildings. Photograph 14 overleaf shows the only public viewpoint from the eastern boundary of the Conservation Area towards the application site, which demonstrates that only glimpsed and oblique views are available. Indeed, the existing building might be considered to have a detrimental impact upon the western approach to and setting of the conservation area and therefore, a sensitive redevelopment of the scheme would have a positive rather than any negative impact.

Extract from Burwash Conservation Area Map



5. PLANNING POLICY AND OTHER CONSIDERATIONS

Photograph 14 – View towards the application site from the Burwash Conservation Area boundary



The application site

ix) Impact upon residential amenities

5.61 Core Strategy Policy OSS4 ii) states that new development must not unreasonably harm the amenities of adjoining properties. DaSA Policy DEN7 states that development will only be permitted where it is

demonstrated that there will be no significant adverse impacts on health, local amenities, biodiversity or environmental character as a result of lighting, noise, odour, land contamination, hazardous and non-hazardous substances and airborne particulates associated with development, including the cumulative impacts of existing and proposed developments.

5.62 The application site is situated within a mainly residential location at the western side of the village, although there are only two dwellings which directly adjoin the application site; Star Cottage to the east and Cairndale to the south east.

5.63 Star Cottage is a chalet-bungalow style property sited on a slightly higher land level to the east of the application site (as shown overleaf), with a separation distance of 9.3m from the facing flank elevation of the proposed

5. PLANNING POLICY AND OTHER CONSIDERATIONS

terrace. The smaller three bedroom units have been intentionally positioned at the eastern end of the terrace so as to ensure that there would be no overly dominant or overbearing upon Star Cottage, with any impacts being minimised by the 'barn-style' hipped element at the eastern end of the roofscape.

5.64 Star Cottage has one facing window within its roof gable which is understood to serve a bedroom. The proposed eastern flank elevation of the proposed terrace would have one window serving a staircase and therefore, there would be no mutual overlooking. This window could be obscure glazed if necessary.

Proposed street scene showing relationship of proposed development with neighbouring Star Cottage



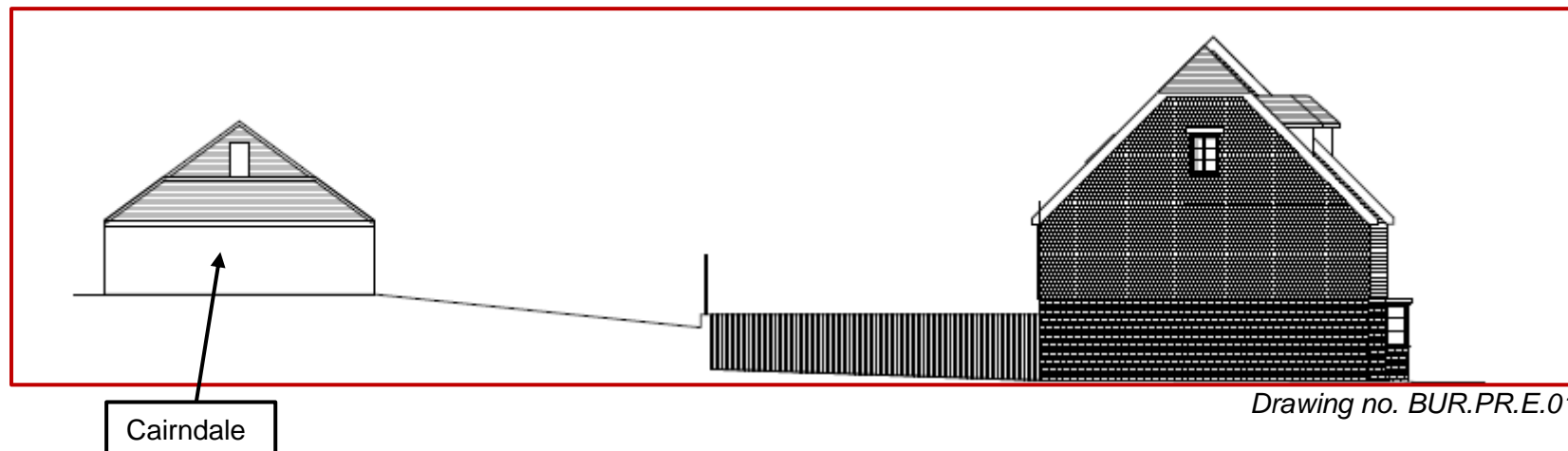
Drawing no. BUR.PR.E.01

5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.65 Cairndale is a bungalow located to the south of the existing building and east of the parking area. As indicated by the north to south section drawing below, the neighbouring property is situated at a higher land level and there are also established trees along the mutual boundary with the application site.

5.66 There would be a separation distance of at least 19m between the rear elevation of the proposed terrace and the facing rear elevation of Cairndale to the south. This is sufficient to ensure that the proposed terraced building would not appear dominant or overbearing. On the rear elevation, the only facing windows would be from first floor bedrooms, with the second floor bedrooms being served by skylights, meaning that would be no harmful degree of mutual overlooking.

North to south section drawing showing relationship of the proposed development with Cairndale



5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.67 In addition, the properties at Cairndale, No. 1 Lime Tree Terrace and Nos. 13 and 14 Highfields either adjoin the proposed car parking area or are located opposite the site entrance. Although historically, this part of the site has previously been used to store and park vehicles (see photographs 15 – 19).

5.68 In order to minimise any noise and disturbance from vehicle movements into and out of the parking area, a 1.8m high acoustic fence and hedgerow planting is proposed along the southern and eastern boundaries of the rear parking area. This could be formalised by the provision of a hard and soft landscaping to be submitted for the Council's approval as part of an appropriate planning condition.

5.69 It should also be noted that the existing use as an MOT garage would generate significantly more vehicle movements each day than the 7 new dwellings proposed.

Photograph 15 – Aerial photograph from Dec 2008



5. PLANNING POLICY AND OTHER CONSIDERATIONS

Photograph 16 – Aerial photograph from Dec 2009



Photograph 18 – Aerial photograph from Jul 2014



Photograph 17 – Aerial photograph from Jul 2013



Photograph 19 – Aerial photograph from Apr 2015



5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.70 Thus, the proposed change of use of the site from an industrial use to residential would result in a reduction in the potential for noise and disturbance upon neighbouring properties, both through day-to-day uses of the site and the parking and movement of vehicles previously parked on the site. Any impacts would be reduced further by the proposed installation of a more established hedgerow buffer together with a 2m high acoustic fence surrounding the parking area.

5.71 During the public consultation, some concerns were raised about the construction process should the planning application be granted. The Applicant is however, a member of the Considerate Contractor's Association. This requires all members to ensure sites appear professional and well managed, give utmost consideration to their impact on neighbours and the public, protect and enhance the environment, attain the

highest levels of occupational health and safety performance and provide a supportive and caring working environment.

5.72 The construction site hoarding would have the telephone number of the Applicant and calls could be made 24 / 7 if local residents have any concerns or questions regarding the construction works. The hours of construction would also be restricted by an appropriate planning condition. These points appeared to alleviate the concerns raised in relation to the construction period.

5.73 In terms of the living conditions of future residents, each dwelling would be designed to exceed the Nationally Described Internal Space Standard. Each dwelling would be designed to maximise the intake of natural daylight, with an open plan internal configuration to ensure a high standard of living accommodation. Each dwelling would

5. PLANNING POLICY AND OTHER CONSIDERATIONS

have a rear garden length of at least 10m, in accordance with Policy DHG7.

located adjacent to the site providing services to nearby towns and Etchingham train station.

x) Access, parking and vehicle movements

5.74 Core strategy Policy TR3 seeks to ensure that that new developments in their design and layout prioritise the needs of pedestrians, cyclists and minimise the distance to local public transport nodes. Paragraph 103 of the NPPF states that 'significant development' should be focussed at sustainable locations.

5.75 An Accessibility Assessment has been provided within the Transport Statement submitted with the application, which confirms that a number of key village services including a convenience store and post office, medical centre, primary school and public house are all within an 8 minute walk. In addition, the Highfields bus stop is

Facilities within 800m of the application site



5.76 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be 'severe'.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

- 5.77 Although the site has been vacant for nearly 5 years, the existing use in planning terms continues to be an MOT garage. Therefore, the TRICS Database has been used to assess the estimated trip generation for the existing use, which considered the site to generate 26 trips in the AM peak, 20 trips in the PM peak and a total trip generation of 340 daily vehicle movements. By contract, the proposed development would generate 4 trips during the AM peak, 3 trips in the PM peak and a total of 36 daily vehicle movements, resulting in a significant net decrease of 303 daily vehicle trips compared to the existing use.
- 5.78 It is accepted that it is difficult to replicate the daily trip generation of the existing use using the TRICS Database given that it has been vacant for some time and that it is possible that the former site produced fewer vehicle movements than those calculated. However, it is highly unlikely that the former use would have generated fewer vehicle movements than the 7 residential dwellings proposed. Nevertheless, however assessed, the proposed development would not have a severe impact upon the local highway network in terms of trip generation.
- 5.79 Personal Injury Accident (PIA) data has been obtained from the Sussex Safer Roads Partnership website for the most recently available 5-year period on record (May 2015 to April 2020). A total of 5 accidents took place within the study area over the course of a 5-year period, an average of 1 accident per year.
- 5.80 No details are provided regarding causation factors for each PIA. However, given the study area and the 5-year timescale, there is not an obvious road safety concern on the carriageways studied surrounding the site; particularly in context of the existing site use, the existing access and the A265 High Street/Highfields junction from which the proposed residential development will be accessed.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.81 The existing access to the garage site from the High Street will be closed off by the proposed housing scheme. Vehicular access to the site will from the existing access from Highfields to serve a parking area to the rear of the proposed residential development. The access has a width of approximately 4.4m, providing a suitable vehicular access to the proposed 7 residential dwellings.

Photograph 20 – Existing site access from Highfields

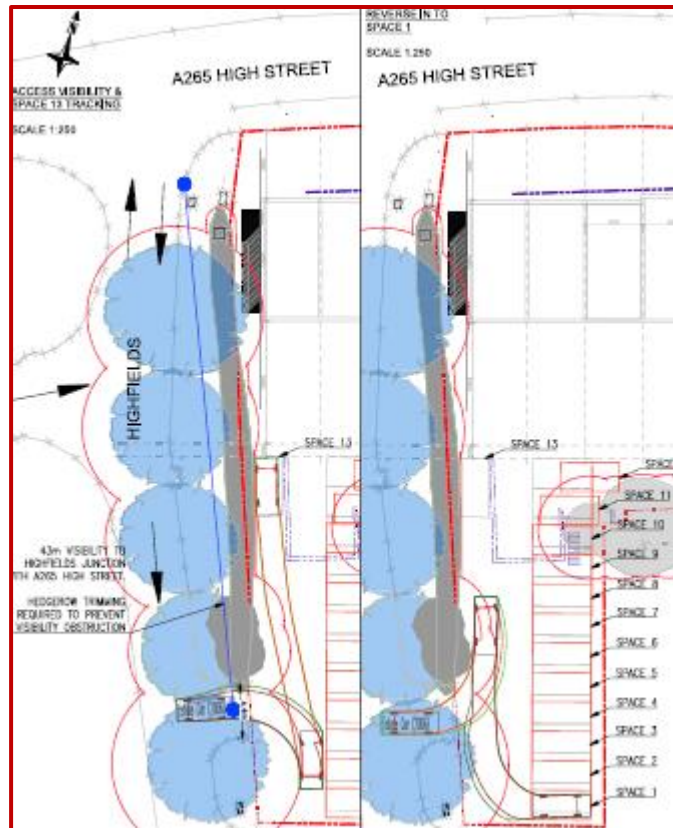


Source: Google Maps

5.82 The one-way system in operation on Highfields will result in residents turning left into the access and turning left out of the access when egressing the site. Visibility when egressing the access has been provided on drawing no. 25811_08_020_01 within the Transport Statement. This demonstrates that a suitable visibility splay of 43m is achievable to the Highfields/A265 High Street junction, allowing drivers egressing the site to view traffic entering Highfields from the A265 High Street. Whilst trees are present on the verge when looking towards the Highfields/A265 High Street junction, the trees are spaced in such a way that would not significantly impede the view of drivers egressing the site access.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

Visibility splays at the junction with Highfields



5.83 Parking standards require that 2 parking spaces should be provided per dwelling, together with 0.25 visitor spaces per dwelling. This results in an overall requirement of 14 parking spaces for the residential dwellings, and an additional 1.75 visitor spaces. Drawing no. 25811_08_020_01 within the Transport Statement demonstrates that a total of 14 allocated parking spaces (2 per dwelling) will be provided at the rear of the residential dwellings.

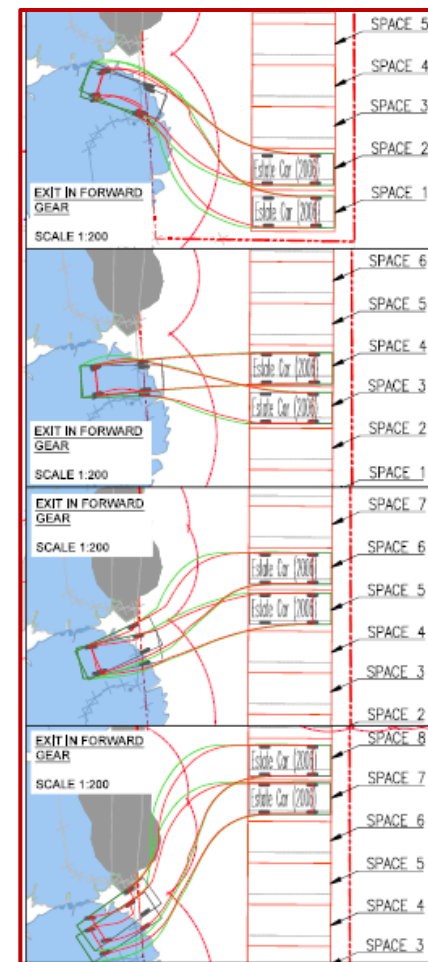
5.84 It should be noted that while it would be a tandem parking space, an additional parking space is proposed to the rear of space 12. It is proposed that this tandem space would be allocated towards the same dwelling at space 12 meaning that the additional 14th space would not be blocked in by a third party. This would mean that each property can be allocated two parking spaces each.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

This would leave a shortfall of just 1.75 visitor spaces which could be easily accommodated within the free on-street parking and public car park located in close proximity to the site. As these visitor spaces would generally be required periodically and on a short-term basis (on the weekend etc), this would not result in demonstrable harm upon the local parking availability

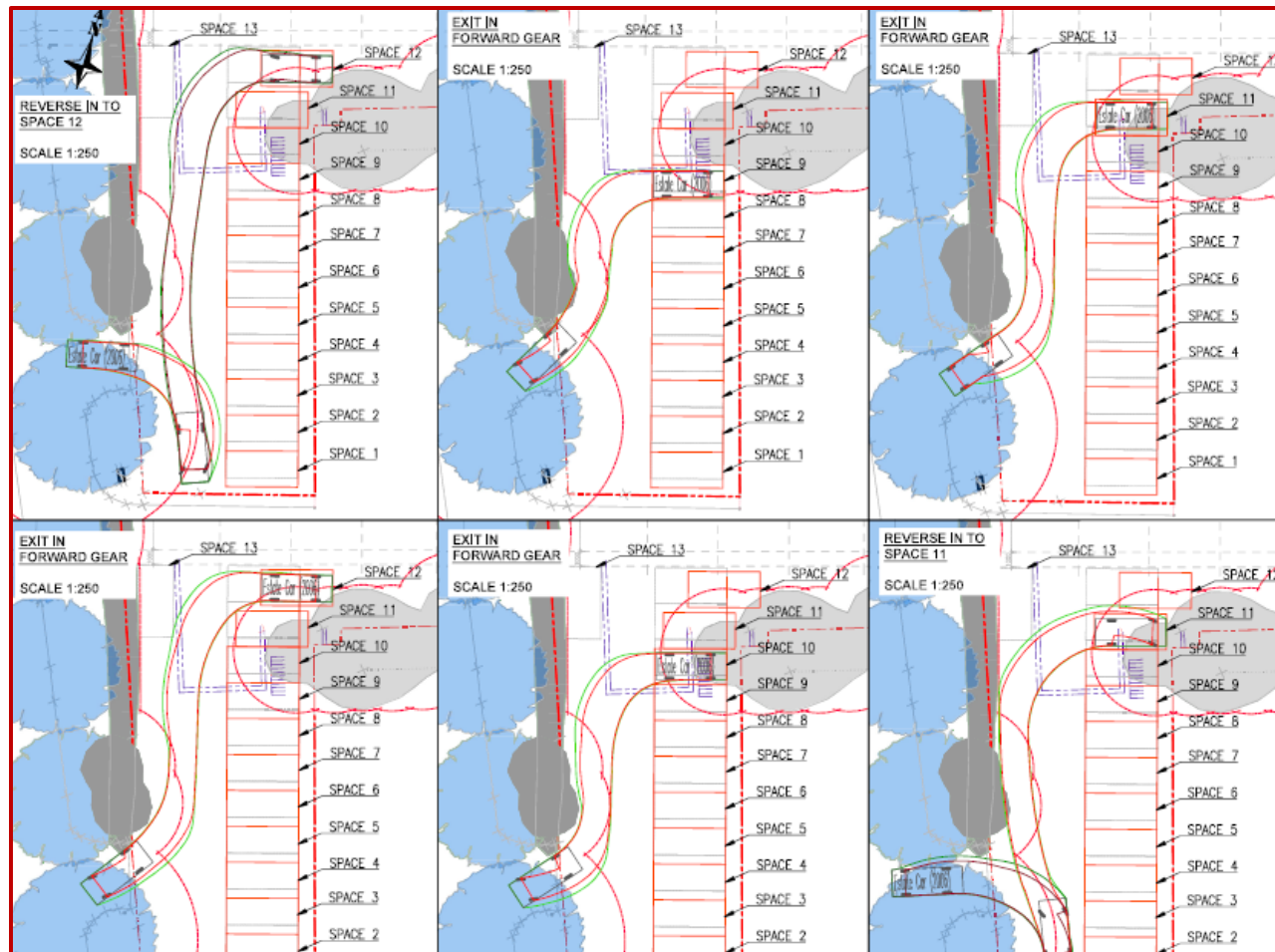
- 5.85 Drawing no. 25811_08_020_01 demonstrates that tracking of a car has been undertaken for all parking spaces to the rear of the proposed residential dwellings. Vehicles can enter the site and reverse into a parking space, allowing them to safely egress the site in a forward gear.

Vehicle tracking – Drawing no. 25811_08_020_01



5. PLANNING POLICY AND OTHER CONSIDERATIONS

Vehicle tracking – Drawing no. 25811_08_020_01



5. PLANNING POLICY AND OTHER CONSIDERATIONS

xi) Ecology and arboriculture

5.86 The Preliminary Ecological Assessment submitted with the application confirms that the site has negligible ecological value as it is dominated by the building and hardstanding. Furthermore, in developing the site for housing, soft landscaping would result in a net gain for biodiversity.

5.87 The Assessment identified that the existing building had low potential for containing a bat roost and therefore, a Bat Emergence Survey was undertaken on 22/06/2020. As no species of bat were seen to be entering or leaving the building, the proposed development is not anticipated to have any impacts upon roosting bats. As a mitigation measure, a variety of bird and bat boxes could be installed creating additional roosting habitat for both

species which would be made the subject of an appropriate planning condition.

5.88 An Arboricultural Report has also been submitted with the application. The application site and immediately surrounding area includes 5 individual trees, two groups of trees and one length of hedgerow. As part of the proposal, one group of trees (including holly and hazel) and one length of hedge would be lost, although it is considered that these are all of low amenity value. Additional tree works are recommended to prune back the eastern extent of the northern portion of the boundary hedge along the western boundary of the site.

5.89 In order to protect the root systems of retained trees during the construction period, two tree protection barriers would be installed, together with one area of temporary ground protection and one area of 'no-dig' paving.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

Tree Plan



Tree Protection Plan



5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.90 The existing adjacent trees will screen and filter views towards the site but significantly, for the most part, they will not obstruct direct sunlight into the southern facing gardens of each property.

xii) Contamination

5.91 DaSA Policy DEN7 states that development will only be permitted where it is demonstrated that there will be no significant adverse impacts on health, local amenities, biodiversity or environmental character as a result of lighting, noise, odour, land contamination, hazardous and non-hazardous substances and/ or airborne particulates associated with development, including where appropriate, the cumulative impacts of existing and proposed developments.

5.92 The Geo-Environmental Report submitted with the application confirms that the building contains asbestos containing material and the site is also understood to contain three disused single skin fuel tanks beneath the front forecourt area, coinciding with three manhole covers. There were no obvious signs of any leaks or spillages or any other continuing significant contamination sources during the walkover survey.

5.93 Fuel tank 1 was installed in 1956 and comprised a 2000 gallon tank used for petrol storage. Tanks 2 and 3 were installed in 1972 and both comprised of a 2500 gallon tank used for the storage of petrol and diesel respectively. All tanks were filled with a weak solution of cement and slurry in March 1999 and have remained disused since.

5.94 As part of the survey, window sample holes were taken together with falling head soakage tests and a soil gas

5. PLANNING POLICY AND OTHER CONSIDERATIONS

survey. During the intrusive investigation of the samples, excavated soils were subjected to (photoionization detector) PID screening techniques in order to determine the presence of Volatile Organic Compounds (VOCs) and Semi-Volatile Organic Compounds (SVOCs) which is considered an appropriate screen for organic contamination.

5.95 Confirmatory soil samples were taken from all six window sample holes. Headspace analysis to determine VOC concentrations was carried out using a PID on all soil samples retrieved as part of this investigation. The results of the screening indicated that VOC concentrations were below the detection limit of 10 ppm in all samples. Therefore, no significantly elevated VOCs or SVOCs were encountered and therefore the on-site soil elsewhere on site was deemed to not have been impacted by any potential VOC and SVOC contaminants.

These soils would not be deemed to pose any significant risk of significant harm to human health as a result of the presence of volatile hydrocarbons.

5.96 Concentrations of toxic metals arsenic, barium, beryllium, cadmium, chromium, copper, mercury, nickel, selenium, vanadium and zinc were all below their respective soil guidance values for a residential with plant uptake end use in all samples tested in this site investigation, therefore the risks to human health from these contaminants is considered to be low.

5.97 The lead dataset showed that whilst outliers were present, the sample mean did not exceed the critical concentration and there was enough evidence to reject the null hypothesis. Therefore, the soil on site, in terms of lead, would not be considered to pose a significant risk of significant harm to human health.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.98 No asbestos containing materials were encountered on site within a screen of the soil samples and would therefore not be considered to pose a significant risk of significant harm to human health. However, asbestos sheeting has also been identified on site.

5.99 The Control of Asbestos Regulations 2012 require an Asbestos Management Plan to be maintained for all commercial property constructed prior to 2000. The Assessment recommended therefore, that an appropriate asbestos survey of the existing buildings is undertaken by a competent contractor prior to any demolition works. This can be made the subject of an appropriate planning condition.

5.100 The levels of soil gas underlying the site have been monitored as part of a short-term soil gas monitoring programme carried out across the site during August and September 2020. No elevated gas flow rates were

recorded during the monitoring which included periods of low and falling atmospheric pressure. Furthermore, significant biodegradable material was not encountered in any of the intrusive excavations at the site.

5.101 Based on the principles and definitions outlined under section 57 of the Environment Act 1995, the site would not be considered to be “Contaminated Land” based on its proposed residential redevelopment end use following implementation of the above remedial measures. The previous garage use of the site, with suitable mitigation measures does not therefore, make it unsuitable for residential use.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

xiii) Drainage

5.102 DaSA Policy DEN5 seeks to use sustainable drainage systems (SuDS) where possible and therefore, a Flood Risk Assessment and Drainage Strategy (including infiltration testing) has been submitted with the application.

5.103 Southern Water records indicate there are two public sewers within vicinity to the site. The site is currently drained by the public sewer to the north of the site so will continue to use this run. According to these records, a 175mm diameter foul sewer flows to the north of the site within the A265.

5.104 The nearest manhole to the site is manhole reference 1601, which appears to be located directly north of the site. Based on the presence of a connection from this

manhole heading towards the garage, it is assumed that the foul drainage from the garage discharges into this manhole. This foul sewer begins at manhole 1601. From here the foul sewer flows to manhole 2603 located to the north east of the site.

Southern Water Records



5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.105 The surface area of the existing impermeable hardstanding on the site is 1,389 sq m. The proposed development would result in an impermeable area of 354 sq m. Despite this, SuDS sizing within the strategy has been based on all newly introduced impermeable surfacing and thus, significant betterment will be provided post development.

5.106 An intrusive site investigation was undertaken October 2020. Given the size of the site, a total of two trial pits were excavated throughout the proposed development area to varying depths of between 1m and 1.5mbgl. Infiltration testing within all two trial pits revealed positive drainage rates which can be utilised within this assessment. Infiltration rates within the underlying strata were found to range between $1.3 \times 10^{-5} \text{m/s}$ and $4.2 \times 10^{-5} \text{m/s}$.

5.107 These rates are suitable for infiltration SuDS and the slowest rates per trial pit have been utilised for the calculations and sizing of all proposed infiltration features. All SUDS facilities have been be designed to accommodate and dispose of runoff from storms up to the 1:100 year + 40% climate change event.

5.108 Existing greenfield runoff rates for the application site have been calculated as 0.7 l/s for the 1:1 annual runoff event, 1.9 l/s for the 1:30 year event and 2.6 l/s for the 1:100 year event. However, the red outline boundary is brownfield and already underlain by approximately 1,389 sq m of impermeable surfacing, comprising 652m² of existing built footprint and 737 sq m of hardstanding.

5.109 The total site area is therefore currently covered by approximately 100% impermeable surfaces. Runoff rates from the whole site (including the 100% impermeable coverage) have been calculated using MicroDrainage as

5. PLANNING POLICY AND OTHER CONSIDERATIONS

1.7 l/s for the 1:1 annual runoff event, 3.5 l/s for the 1:30 year event and 4.1 l/s for the 1:100 year event. Based upon the results of in-situ infiltration testing, it is proposed to discharge all post development runoff to ground, therefore, there will be no off-site discharge post development.

5.110 The rear car parking spaces will be surfaced in permeable pavements amounting to approximately 184 sq m. Runoff from these areas will percolate through the paving and be stored within a gravel sub-base. All water within the permeable paving sub-base will be gradually discharged to ground. The proposed development is formed of approximately 537 sq m of potentially impermeable surfacing. In order to comply with CIRIA C753 The SuDS Manual, a 10% allowance will also need to be added to the driveway area to account future urban creep in this area. Applying a 10% allowance to the

driveway and footpath area (537 sq m) gives a value of 590 sq m. In light of this, all drainage calculations for the proposed permeable paving within the site have been made on the basis of an impermeable coverage of 590 sq m.

5.111 Given the location and proposed depth of the proposed permeable paving, the most representative infiltration rate to utilise for SuDS sizing is considered to be 1.3x10⁻⁵m/s; taken from Trial Pit 2. Preliminary calculations indicate that permeable pavement with dimensions of 184 sq m x 0.5m deep x 0.3 (voids) will be sufficient to infiltrate all runoff from 590 sq m of impermeable areas arising from the critical 1:100 year + 40% climate change event. There will be no off-site discharge. Preliminary calculations indicated that some 27.60m³ of storage is required to attenuate the runoff for all storms up to and including the 1:100 year + 40% climate change event.

5. PLANNING POLICY AND OTHER CONSIDERATIONS

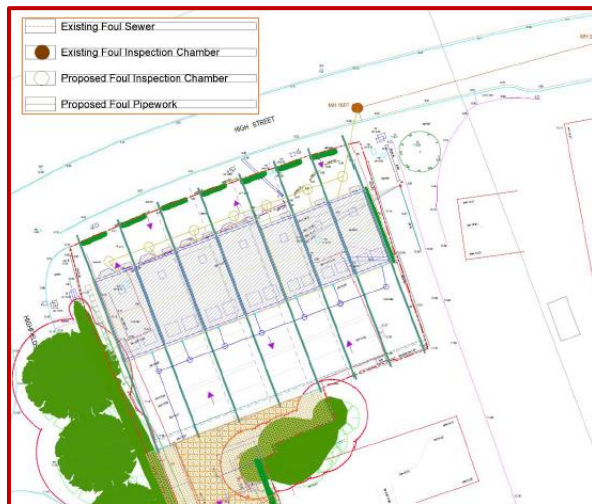
Proposed surface water run-off arrangements



5. PLANNING POLICY AND OTHER CONSIDERATIONS

5.112 Post development foul flows will be discharged into the existing public combined sewer in the A265. The proposed development is for the construction of 7 dwellings, each assumed to have a bathroom and kitchen. A capacity check will be submitted to Southern water to confirm that capacity exists within the sewer network for the proposed flows. Connection is proposed to the public combined sewer, manhole 1601 north of the site.

Proposed foul water discharge arrangements



xiv) Refuse storage and collection

5.113 Refuse and recycling bins could be stored within the rear garden areas of each dwelling and be moved to the front of the site on collection days using the communal pathway to the rear and side of the terrace which is directly accessible from each garden. This would enable refuse vehicles to empty the bins from the roadside without entering the application site

6. SUMMARY AND CONCLUSIONS

- 6.1 This Planning, Design and Access Statement accompanies a full planning application submitted to Rother District Council on behalf of Simon Bowyer (SB10 Construction Ltd). The application relates to the vacant Oakley's Garage site in Burwash, which previously operated as a commercial garage providing MOT testing and car sales (and once provided forecourt petrol sales). The proposal is to demolish the garage building and clear the site to provide a residential terrace comprising 3 x 3 bedroom and 4 x 3 bedroom dwellings, together with associated car parking and landscaping.
- 6.2 The former garage site has been extensively marketed over a continuous period of nearly 3 years with no formal offers being received from any commercial occupier, demonstrating that the former garage use is no longer viable. In addition, the Council currently has a seriously low level of housing land supply which has resulted in the Government's recently published Housing Delivery Test confirming that the presumption in favour of sustainable development now applies in Rother District.
- 6.3 The application site is within the built-up village confines of Burwash and is therefore a sustainable location for accommodating new housing development. The disused garage building is unusable in its current condition and is creating a visual blight harmful to the appearance of this part of the village and its setting within the High Weald Area of Outstanding Natural Beauty (HWAONB).
- 6.4 This proposal aims to make an optimal use of the land available so as to make a valuable contribution to the housing land supply in the District while also delivering a scheme than will give rise to a significant visual improvement and enhancement.

6. SUMMARY AND CONCLUSIONS

6.5 As the proposal is for a net increase of 7 dwellings within the HWAONB, the proposal triggers a policy requirement for affordable housing contribution. However, as demonstrated by the Viability Assessment submitted with the application, given the significant abnormal costs of redeveloping the site including the removal of dormant fuel tanks and asbestos, demolition and contamination remediation, the full inclusion of on-site affordable housing (of 0.8 dwellings) would not be viable. However, the Applicant is able to provide a financial contribution of some £33,000 to help serve affordable housing elsewhere in Burwash or elsewhere within the District and this can be secured by a planning obligation.

6.6 The scheme design and site layout has taken visual cues from the village vernacular and palette of materials. The proposed terrace would be faced with a combination of red

brickwork, clay hanging tiles and white weatherboarding. The scheme design has been the subject of public consultation, following which some minor design changes have been incorporated into the scheme.

6.7 The site is within a mainly residential location and the scale and massing of the scheme together with the separation distances from neighbouring properties would mean that the scheme would not be overly dominant or overbearing. A parking area would be provided at the rear part of the site, that has been previously used to park cars as part of the former garage use as demonstrated by aerial photography. Vehicle movements are likely to be reduced as part of the proposed development compared to the previous garage use. The inclusion of acoustic fencing and new hedgerows would also help to minimise any noise and disturbance.

6. SUMMARY AND CONCLUSIONS

- 6.8 As there is likely to be a net reduction in vehicle movements, the proposal would not have a material impact upon the local highway network. A total of 14 parking spaces would be provided (2 allocated parking spaces per dwelling). There would be a small shortfall of just 1.75 visitor spaces which would only be required on a periodic and short-term basis, such that these could within the free public car park nearby or on other nearby streets.
- 6.9 A Flood Risk Assessment and Drainage Strategy confirms that surface water could be discharged via infiltration and the scheme would not result in an increase in flood risk elsewhere. Foul water would be discharged into the main sewer (as existing).
- 6.10 A Geo-Environmental Assessment has confirmed that contaminants could be removed by professional specialists (to be controlled by a condition) and that a residential development could be safely accommodated on the site.
- 6.11 A Preliminary Ecological Appraisal and Bat Emergence Survey confirm that the site is currently of low ecological value with a negligible chance of hosting a bat roost. An Arboricultural Report confirms that no trees would be lost. Given the current nature of the site, the proposed redevelopment scheme also provide an opportunity to create a net increase in biodiversity, with a hard and soft landscaping scheme being made the subject of an appropriate planning condition.
- 6.12 The proposed scheme would not give rise to any harmful impact and will meet the three elements of achieving sustainable development identified in national planning policies; the scheme could be designed to provide a net increase in biodiversity; it would fulfil a social role in

6. SUMMARY AND CONCLUSIONS

contributing to housing supply (including an off-site affordable housing contribution) and it will generate employment at the construction stage (with the Applicant being a local developer), the scheme would generate a CIL payment contribution and the new residents will contribute to the local economy (including supporting key local community facilities) as well as providing Council tax income for the Council.

- 6.13 Overall, this proposal would make a valuable contribution to the housing land supply in the Borough through the provision of 7 new dwellings. Therefore, given the considerable benefits of the proposal and in the absence of any demonstrable harm, the presumption should be firmly in favour of approving this planning application and as such, planning permission should be granted.



BURWASH

An Area of Outstanding Natural Beauty in the Sussex Weald

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17-02-21 Virtual Planning Exhibition – Former Oakley's Site

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The planner and developer of the former Oakley's site is holding a virtual exhibition on Wednesday 17th February. This will be held online using Microsoft teams and gives residents of Burwash the chance to ask questions about the proposed plans for the site.

If you would like to attend, please contact Mr Pickup directly by the close of play on 16-02-21 by email on jonny.pickup@plan2dev.co.uk

For visuals and further information on the proposed plans please [click here](#).

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Oakley's Garage, Burwash – HELAA Submission

1. Oakley's Garage comprises a 0.14 hectare site located on the western site of Burwash village centre on the southern side of the A265 and has historically been used for petrol and car sales and MOT repairs and vehicle servicing. However, the former business ceased trading in 2016 and has been marketed for over two years with limited interest. The owner of the site has confirmed that the site is now deliverable, which has been confirmed via email which is appended to this document, with the site being brought forward to SB10 Construction.

Photograph 1 – Oakley's Garage



2. The site is located within both the adopted and proposed draft Burwash Development Boundary (with the latter forming part of the draft Burwash Neighbourhood Development Plan) and has the capacity to provide approximately 7 dwellings and can therefore, provide a valuable contribution to the housing land supply in the District on a disused, brownfield site within a sustainable village location.

Extract of adopted Burwash Development Boundary and location of Oakley's Garage site

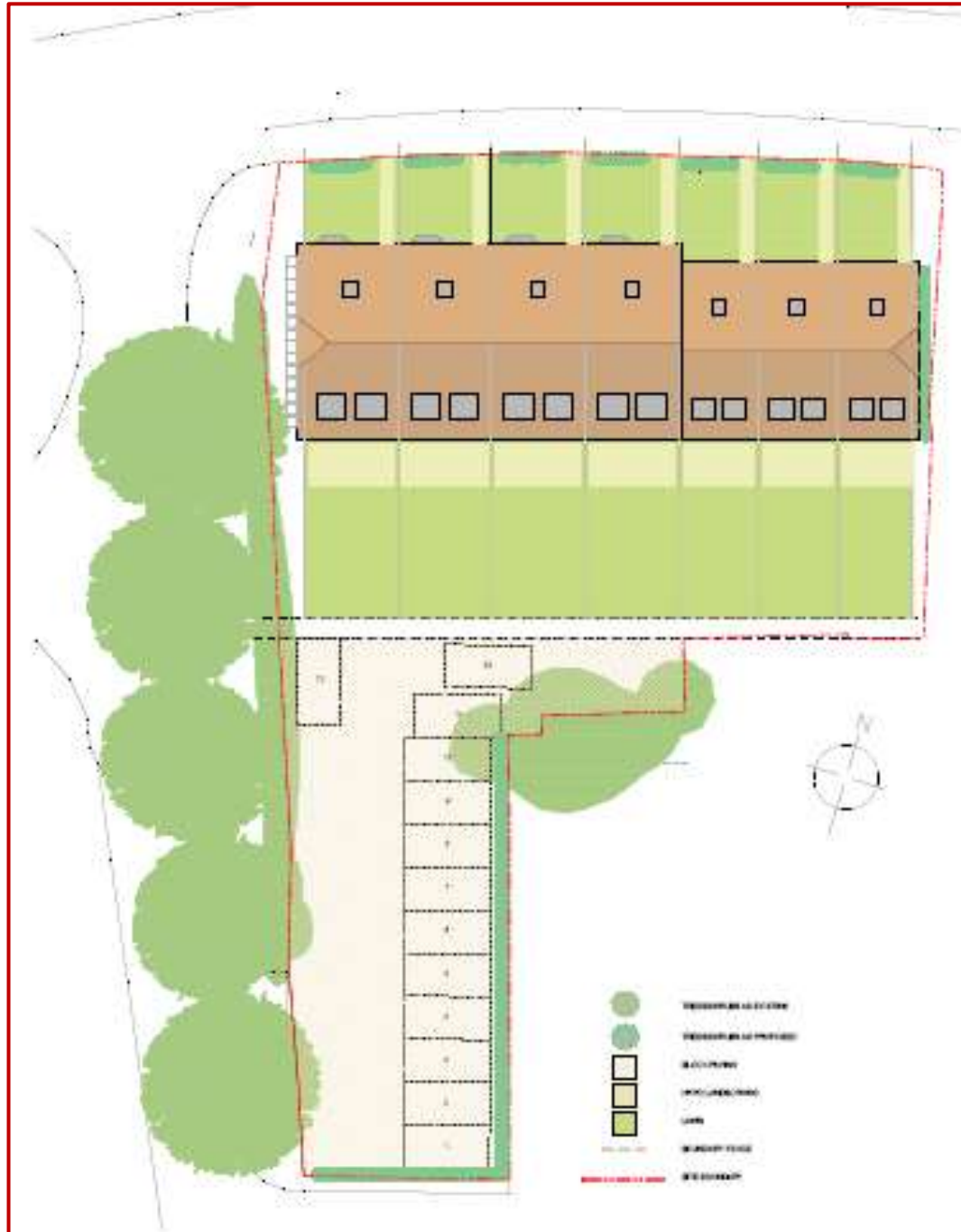


Burwash Development Boundary

Oakley's Garage Site

3. The site has been openly marketed with commercial estate agent Linays at a reasonable market price for a period exceeding 24 months, demonstrating that the existing commercial use is no longer viable meaning that a suitable redevelopment scheme can now be considered under the provisions of DaSA Policies DEC3 and DCO1.
4. An illustrative site layout plan has been provided overleaf, which includes an adequate provision of off-street car parking.

Illustrative site layout plan



5. A residential redevelopment of this site would meet the three elements of sustainable development; there would be social benefits through the contribution to the housing land shortfall in the District, there would be economic benefits during the construction period, with future residents supporting local community services and through Council tax payments and the scheme could achieve a net increase in biodiversity on a site which currently has very limited ecological value.
6. Therefore, this site should be considered as a suitable site for new housing development as part of the HELAA.



Fri 04/12/2020 18:24

Andrew Chapman [REDACTED]

Oakleys planning application

To [REDACTED] Jonny Pickup

Cc [REDACTED]

Dear Jonny

I would like to confirm that I Leslie Kenneth Chapman as owner of Oakleys garage, Burwash, East Sussex, am Happy for the planning application for the redevelopment of the site to go ahead in the name of Simon Bowyer of SB10 Construction.

I trust this is in order but please feel free to contact me with any questions you might have.

Regards

Mr. L. Chapman

BURWASH

OAKLEYS GARAGE, HIGH STREET

EAST SUSSEX

TN19 7HA

LINAYS

COMMERCIAL

26A STATION SQUARE
PETTS WOOD, ORPINGTON,
KENT. BR5 1NA
Fax: 01689 831416

01689 875 511

**FREEHOLD FOR SALE - REDEVELOPMENT OPPORTUNITY (STPP)
PROMINENT ROADSIDE LOCATION – DETACHED FORMER GARAGE**

Location

Burwash is an affluent village located within the county of East Sussex . The premises are situated at the junction with Highfields in a predominantly residential area fronting the A265 at the western end of Burwash Village providing direct access onto the A21 at Hurst Green.

Etchingham mainline station is located approx. 2.9 miles away offering commuters a service into London and Hastings.



Description / Planning

The site is broadly L-shaped and currently occupied by a single storey garage complex comprising vehicle showroom, petrol pumps, workshops with forecourt and stores.

The property falls within the jurisdiction of Rother District Council and within the High Weald AONB. We are advised the property is not Listed nor is it located within a Conservation area. There is an opportunity to create a well-designed residential scheme on the site subject to the necessary consents. Enquiries should be directed to Rother District Council Planning Department.

Site Area

(with approximate dimensions and areas)

Site Frontage:	136'	41.6m
Site Depth:	162'	49.2m
Total Site Approx.	14,692 sq.ft	1,365 sq.m
	0.136 hectares	0.337 acres

Price

£850,000 (Eight Hundred and Fifty Thousand Pounds), for our client's freehold interest with vacant possession, subject to contract.

Our client may consider a conditional sale subject to the grant of Planning Permission. Offers on this basis should include timescales as well as outlining a proposed scheme including number of units, parking proposals and net sellable area.

THE PROPERTY MISDESCRIPTIONS ACT 1991

The agent has not tested any apparatus, equipment, fixtures and fittings or services and so cannot verify that they are in working order of fit for the purpose. Prospective Purchasers/Lessees are advised to obtain verification from their Solicitor or Surveyor. References to the tenure of this property are based on information supplied by our Clients. The Agent has not had sight of the Title Documents and prospective Purchasers/Lessees are advised to obtain verification from their Solicitor.

These Particulars do not form, nor form any part of, an offer or contract. Neither Linays Commercial nor any of their employees has any authority to make or give further representations or warranties to the property

Rating Assessment

We understand from the Valuation Office Agency (VOA) website that the rates payable on the premises are £9,253.75 (2018/19 assessment). Interested parties are strongly advised to check the actual rates liability with the Local Authority directly.

Legal Costs

The buyer is to provide an undertaking towards our clients legal and professional fees.

VAT

We have been advised by our clients that VAT will **NOT** be payable upon the sale price under current legislation.

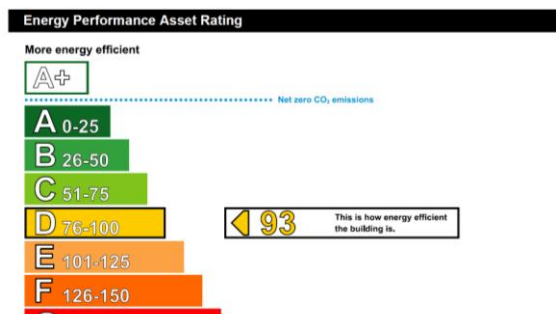
Services

We have not inspected the services however it would appear the site benefits from mains electricity, water and drainage. Prospective purchasers should satisfy themselves through their own due diligence enquiries

Site Plan



Energy Performance Certificate



Viewings

The site can be inspected from the public highway. If you require an internal inspection of the property, please make a prior appointment via Linays Commercial Limited.



Contact:
Adrian Tutchings

Email:
commercialproperty@linays.co.uk

THE PROPERTY MISDESCRIPTORS ACT 1991

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