

Dear Mr Smith

Re:- PE/2016/0395/E – Development of 15 Dwellings
Site: 42A London Road, Hailsham, BN27 3BU

I am writing about this site following our recent meeting in the offices. Thank you for engaging with the Council at pre-application stage. This letter summarises the main points of discussion from the meeting regarding the policy context of the development proposed.

The site

Hailsham Ambulance Station sits back from London Road, sharing an access with 'Firstfields', a Training Centre occupied East Sussex Social Services. 'Firstfield' sits immediately to the south of the Ambulance Station, whilst to the north, east and west lies residential development accessed from The Cedars.

The submissions advise that the ambulance station consists of a single storey building surrounded by hardstanding and that the north, east and west boundaries are defined by brick walls and close boarded fencing of approximately 2m in height.

The proposal

A location plan and indicative layout were submitted in advance of the meeting which proposed 15 new dwellings spread across the site and which include a block of flats. These are shown arranged as a cul-de-sac of semi-detached dwellings served by a new existing access off London Road.

Key Policies

National Planning Policy Framework (NPPF) 2012: Paragraphs 7, 17, 19, 22, 32, 49, 56, 57, 59, 60, 64, 118 and 119.

Wealden Core Strategy Local Plan 2013: Spatial Planning Objectives SPO3, SPO4, SPO6, SPO7, SPO12, SPO13 and SPO14 and Policies WCS6 and WCS14

Wealden Design Guide 2008 (adopted Supplementary Planning Document): Chapter 2 (Character zones and local distinctiveness), Chapter 5 (Character appraisal of sites and their settings) and Chapter 7 (New residential development).

Para 49 of the NPPF is clear that where Council's cannot demonstrate a 5 year housing supply, development should be considered in the context of the presumption in favour of sustainable development (para 14). Para 47 sets out that the LPA should significantly boost the supply of housing fully meeting objectively assessed housing need. When there is no five year supply of land, housing supply policies GD2 and DC17 carry no significant weight.

Constraints

- The site is located inside the development boundary for Hailsham, as defined in the Wealden Local Plan 1998 and retained by the Wealden Core Strategy Local Plan 2013.
- The site lies within the catchment area of Hailsham South Waste Water Treatment Works (WWTW).

Advice

The submissions set out the background to the proposal in terms of South East Coast Ambulance Service NHS Trust embarking on a restructuring programme that will replace many existing ambulance stations with larger Make Ready Centres (MRCs) at strategic locations across the South East.

The premises are currently in sui generis use and whilst not strictly a business site, it is one that nonetheless generates employment. Local planning policy recognises that business (or employment-generating) premises close to town centres are valuable in supporting their commercial role and may not be readily compensated for by provision elsewhere. However, advice in the NPPF at paragraph 22 advises against the long term protection of business sites where there is no reasonable prospect of the site being used for that purpose, going on to state that alternative uses for such sites should be treated on their own merits. Paragraph 51 states that Local Planning Authorities should normally approve applications for change to residential use and associated development from commercial buildings (albeit B class) provided that there are not strong economic reasons why such a development would be inappropriate. Furthermore, the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 49).

The site lies within the development boundary for Hailsham where saved Policies GD1 and HA1 of the Wealden Local Plan are supportive of new residential development in principle, subject to other relevant policies in the Plan. In this regard, the provisions of saved Policy EN27 are relevant to the design of the development and its impact on surrounding visual and residential amenity; and the provisions of saved Policies TR3 and TR16 to access and parking arrangements.

Residential is a use clearly compatible with the local context, the site being surrounded by residential properties on three sides. Having regard to the current use of the site, it is considered unlikely that the proposal would present issues in terms of highway safety, but you may wish to seek an informal view from the Highway Authority at ESCC, in which case I would suggest you contact Ben Lenton at East Sussex County Council on 01273 336114 or Ben.Lenton@eastsussex.gov.uk.

The elevations that have been provided, indicate that the dwellings would be two-storey. This is considered acceptable in principle, noting from the submissions that an element of the Training Centre is two-storey, but would require careful assessment on site in relation to the bungalows on The Cedars, particularly with those to the west, which back onto the site. It may be necessary to orient non-habitable rooms to the front at first floor.

As mentioned there is now a potential overriding issue relating to Waste Water Treatment Works (WWTW) capacity.

Hailsham South and Hailsham North WWTW discharge treated effluent into the Pevensey Levels. The Pevensey Levels is a designated Ramsar site and a candidate Special Area of Conservation (as of February 2011). The Government requires that Ramsar sites be treated in the same manner as Europa sites (Paragraph 118 of the NPPF), as defined by the Habitats Directive, and therefore the Appropriate Assessment (AA) of the Core Strategy, by virtue of an increase in waste water being connected to Hailsham North and Hailsham South WWTW, was undertaken in relation to the Core Strategy. Subsequently the Pevensey Levels was designated candidate Special Area of Conservation (SAC), and under the Habitats Directive is required to be considered, as a matter of European law. The Habitats Regulation Assessment (HRA) of the Pevensey Levels undertaken for the Core Strategy identifies that any discharge in addition to that consented would need to be avoided in order to comply with the Habitats Directive.

The housing distribution contained within the Council's Core Strategy has had careful regard to the waste water treatment capacity constraints affecting the North and South Hailsham WWTW. In order to avoid any adverse affect on the integrity of the Pevensey Levels RAMSAR site and Special Area of Conservation, it is necessary for housing growth within this catchment to be constrained to a level within the existing WWTW capacity.

The proposed discharge for this site would be processed by the Hailsham South WWTW, which is currently at capacity, but up-to-date information can be obtained from Natalie Bumpus, Planning Policy Officer, who can be contacted on 01892 602576 or Natalie.bumpus@wealden.gov.uk. Otherwise, possible options might include:-

- for a Package Sewage Treatment Works to be provided on site to enable waste water to be treated outside the public sewer system, although I am not sure this would necessarily be feasible given the site's urban position.
- to connect and pump to the Hailsham North WWTW (which currently has capacity), the catchment area for which extends to within 280m of the site. However, I suspect this would not be financially viable on a scheme of this size.
- to assess the water usage from current activities on the site, together with the existing rate and means of surface water discharge from the building and hardsurfaced areas, to potentially present a case for reduced flows to the foul sewer.

Affordable Housing

In terms of affordable housing, we would commence negotiations of 35% on schemes of more than 5 dwellings. For a 10 unit scheme, it is unlikely that a Registered Provider would want units on site. In that event, our policy talks to a commuted sum for off-site provision. If you wanted more detailed advice on this point you could liaise with my colleague Tian Adams 01323 44 3357. We also spoke CIL which became operational for the Council on the 1 April 2016. This is a non-negotiable charge for infrastructure and is charged at 150m² of new floor area. This is a link to the charging schedule:

http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/CommunityInfrastructureLevy/Planning_Community_Infrastructure_Levy.aspx

Conclusion

It is considered that redevelopment of this brownfield site to provide new housing within the development boundary for Hailsham, in close proximity to the town centre and adjoining existing residential development would, in principle, represent sustainable development. However, as outlined above, a formal submission would need to demonstrate an acceptable relationship with neighbouring dwellings, appropriate access arrangements and satisfactory means of waste water disposal given current capacity issues.

I hope this advice is helpful, but would point out that these comments represent an informal opinion on the proposals, based on the information available, and are offered without prejudice to the consideration and determination of any planning application which may be submitted to the Council.

Yours sincerely

Sam Finnis MRTPI

Planning Officer

Wealden District Council
Planning and Environmental Services
Council Offices
Vicarage Lane
Hailsham
East Sussex
BN27 2AX
Tel 01892 602783
E-mail: sam.finnis@wealden.gov.uk
www.wealden.gov.uk

Please note: This reply is furnished after appropriate enquiries and in belief that it is in accordance with the information at present available to the Officer of the Council, but on the distinct understanding that neither the Council nor any Officer of the Council is legally responsible therefore.

From: Colin Smith [mailto:Colin@maddoxassociates.co.uk]

Sent: 03 August 2016 12:57

To: Sam Finnis

Subject: Re: PE/2016/0395/E - 42A London Road, Hailsham, BN27 3BU

Dear Sam

Many thanks for your email below. I note the contents and will forward to my clients. However, I have highlighted two sections where you refer to the number of units being three (based on a revised submission) and no elevation details being supplied. It would appear that these comments have been carried over from a different piece of advice- I would be grateful if you would review and amend as necessary.

We also discussed the possibility of increasing the density of the site with a larger number of units, and I would be grateful if you would confirm your comments at the meeting that you would not consider an increase in density unacceptable, subject to satisfactory relationships with the adjoining properties.

Many thanks

Regards

Colin Smith

From: Sam Finnis <Sam.Finnis@wealden.gov.uk>

Sent: 03 August 2016 11:57

To: Colin Smith

Subject: PE/2016/0395/E - 42A London Road, Hailsham, BN27 3BU

Dear Mr Smith

**Re:- PE/2016/0395/E – Development of 15 Dwellings
Site: 42A London Road, Hailsham, BN27 3BU**

I am writing about this site following our recent meeting in the offices. Thank you for engaging with the Council at pre-application stage. This letter summarises the main points of discussion from the meeting regarding the policy context of the development proposed.

The site

Hailsham Ambulance Station sits back from London Road, sharing an access with 'Firstfields', a Training Centre occupied East Sussex Social Services. 'Firstfield' sits immediately to the south of the Ambulance Station, whilst to the north, east and west lies residential development accessed from The Cedars.

The submissions advise that the ambulance station consists of a single storey building surrounded by hardstanding and that the north, east and west boundaries are defined by brick walls and close boarded fencing of approximately 2m in height.

The proposal

A location plan and indicative layout were submitted in advance of the meeting which proposed 15 new dwellings spread across the site and which include a block of flats. These are shown arranged as a cul-de-sac of semi-detached dwellings served by a new existing access off London Road.

Key Policies

National Planning Policy Framework (NPPF) 2012: Paragraphs 7, 17, 19, 22, 32, 49, 56, 57, 59, 60, 64, 118 and 119.

Wealden Core Strategy Local Plan 2013: Spatial Planning Objectives SPO3, SPO4, SPO6, SPO7, SPO12, SPO13 and SPO14 and Policies WCS6 and WCS14

Wealden Design Guide 2008 (adopted Supplementary Planning Document): Chapter 2 (Character zones and local distinctiveness), Chapter 5 (Character appraisal of sites and their settings) and Chapter 7 (New residential development).

Para 49 of the NPPF is clear that where Council's cannot demonstrate a 5 year housing supply, development should be considered in the context of the presumption in favour of sustainable development (para 14). Para 47 sets out that the LPA should significantly boost the supply of housing fully meeting objectively assessed housing need. When there is no five year supply of land, housing supply policies GD2 and DC17 carry no significant weight.

Constraints

- The site is located inside the development boundary for Hailsham, as defined in the Wealden Local Plan 1998 and retained by the Wealden Core Strategy Local Plan 2013.
- The site lies within the catchment area of Hailsham South Waste Water Treatment Works (WWTW).

Advice

The submissions set out the background to the proposal in terms of South East Coast Ambulance Service NHS Trust embarking on a restructuring programme that will replace many existing ambulance stations with larger Make Ready Centres (MRCs) at strategic locations across the South East.

The premises are currently in sui generis use and whilst not strictly a business site, it is one that nonetheless generates employment. Local planning policy recognises that business (or employment-generating) premises close to town centres are valuable in supporting their commercial role and may not be readily compensated for by provision elsewhere. However, advice in the NPPF at paragraph 22 advises against the long term protection of business sites where there is no reasonable prospect of the site being used for that purpose, going on to state that alternative uses for such sites should be treated on their own merits. Paragraph 51 states that Local Planning Authorities should normally approve applications for change to residential use and associated development from

commercial buildings (albeit B class) provided that there are not strong economic reasons why such a development would be inappropriate. Furthermore, the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 49).

The site lies within the development boundary for Hailsham where saved Policies GD1 and HA1 of the Wealden Local Plan are supportive of new residential development in principle, subject to other relevant policies in the Plan. In this regard, the provisions of saved Policy EN27 are relevant to the design of the development and its impact on surrounding visual and residential amenity; and the provisions of saved Policies TR3 and TR16 to access and parking arrangements.

Residential is a use clearly compatible with the local context, the site being surrounded by residential properties on three sides, and it is not considered to conflict with the adjoining Training Centre use. **The revised layout plan for three units provides better access and turning facilities and better space about the proposed new built form.** Having regard to the current use of the site, it is considered unlikely that the proposal would present issues in terms of highway safety, but you may wish to seek an informal view from the Highway Authority at ESCC, in which case I would suggest you contact Ben Lenton at East Sussex County Council on 01273 336114 or Ben.Lenton@eastsussex.gov.uk.

No elevations that have been provided, indicate that the dwellings would be two-storey. This is considered acceptable in principle, noting from the submissions that an element of the Training Centre is two-storey, but would require careful assessment on site in relation to the bungalows on The Cedars, particularly with those to the west, which back onto the site. It may be necessary to orient non-habitable rooms to the front at first floor.

As mentioned there is now a potential overriding issue relating to Waste Water Treatment Works (WWTW) capacity.

Hailsham South and Hailsham North WWTW discharge treated effluent into the Pevensy Levels. The Pevensy Levels is a designated Ramsar site and a candidate Special Area of Conservation (as of February 2011). The Government requires that Ramsar sites be treated in the same manner as Europa sites (Paragraph 118 of the NPPF), as defined by the Habitats Directive, and therefore the Appropriate Assessment (AA) of the Core Strategy, by virtue of an increase in waste water being connected to Hailsham North and Hailsham South WWTW, was undertaken in relation to the Core Strategy. Subsequently the Pevensy Levels was designated candidate Special Area of Conservation (SAC), and under the Habitats Directive is required to be considered, as a matter of European law. The Habitats Regulation Assessment (HRA) of the Pevensy Levels undertaken for the Core Strategy identifies that any discharge in addition to that consented would need to be avoided in order to comply with the Habitats Directive.

The housing distribution contained within the Council's Core Strategy has had careful regard to the waste water treatment capacity constraints affecting the North and South Hailsham WWTW. In order to avoid any adverse affect on the integrity of the Pevensey Levels RAMSAR site and Special Area of Conservation, it is necessary for housing growth within this catchment to be constrained to a level within the existing WWTW capacity.

The proposed discharge for this site would be processed by the Hailsham South WWTW, which is currently at capacity, but up-to-date information can be obtained from Natalie Bumpus, Planning Policy Officer, who can be contacted on 01892 602576 or Natalie.bumpus@wealden.gov.uk. Otherwise, possible options might include:-

- for a Package Sewage Treatment Works to be provided on site to enable waste water to be treated outside the public sewer system, although I am not sure this would necessarily be feasible given the site's urban position.
- to connect and pump to the Hailsham North WWTW (which currently has capacity), the catchment area for which extends to within 280m of the site. However, I suspect this would not be financially viable on a scheme of this size.
- to assess the water usage from current activities on the site, together with the existing rate and means of surface water discharge from the building and hardsurfaced areas, to potentially present a case for reduced flows to the foul sewer.

Affordable Housing

In terms of affordable housing, we would commence negotiations of 35% on schemes of more than 5 dwellings. For a 10 unit scheme, it is unlikely that a Registered Provider would want units on site. In that event, our policy talks to a commuted sum for off-site provision. If you wanted more detailed advice on this point you could liaise with my colleague Tian Adams 01323 44 3357. We also spoke CIL which became operational for the Council on the 1 April 2016. This is a non-negotiable charge for infrastructure and is charged at 150m² of new floor area. This is a link to the charging schedule:

http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/CommunityInfrastructureLevy/Planning_Community_Infrastructure_Levy.aspx

Conclusion

It is considered that redevelopment of this brownfield site to provide new housing within the development boundary for Hailsham, in close proximity to the town centre and adjoining existing residential development would, in principle, represent sustainable development. However, as outlined above, a formal submission would need to demonstrate an acceptable relationship with neighbouring dwellings, appropriate access arrangements and satisfactory means of waste water disposal given current capacity issues.

I hope this advice is helpful, but would point out that these comments represent an informal opinion on the proposals, based on the information available, and are offered

without prejudice to the consideration and determination of any planning application which may be submitted to the Council.

Yours sincerely

Sam Finnis MRTPI

Planning Officer

Wealden District Council

Planning and Environmental Services

Council Offices

Vicarage Lane

Hailsham

East Sussex

BN27 2AX

Tel 01892 602783

E-mail: sam.finnis@wealden.gov.uk

www.wealden.gov.uk

Please note: This reply is furnished after appropriate enquiries and in belief that it is in accordance with the information at present available to the Officer of the Council, but on the distinct understanding that neither the Council nor any Officer of the Council is legally responsible therefore.