

Barcombe Parish Council Representation

21st March 2025

For the attention and consideration of Lewes District Council Planning Department and Elivia Homes Ltd during the Reserved Matters application stage

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1. Introduction

The proposed development at Blackcurrant Field has faced significant and sustained opposition from the local community, reflecting deep concerns about its impact on the village, its infrastructure, and its historic and environmental assets.

Despite the Planning Inspectorate's approval for up to 70 dwellings, many fundamental concerns raised during the application and appeal process remain unresolved.

Our objective is to work collaboratively and constructively with Elivia to ensure that the Reserved Matters application meaningfully mitigates these concerns. The design and construction phases present a critical opportunity to ensure that the scheme:

- Respects and enhances the local character of Barcombe Cross
- Protects the setting of heritage and environmental assets
- Minimises disruption to existing residents and village infrastructure
- Aligns with the commitments and conditions set by the Planning Inspector and Lewes District Council Planning Department (LDC PD)

This document is structured to capture outstanding issues and expectations for the Reserved Matters phase. It is not a wish list, but rather a detailed representation of concerns that are rooted in relevant planning policies, national guidance, and authoritative decisions from LDC PD and the Planning Inspectorate.

Community engagement is a fundamental principle of the planning process, intended to ensure that developments respond meaningfully to local concerns. However, despite extensive feedback from residents and planning authorities over the past three years, there has been no substantive evolution of the scheme. The preliminary plans remain largely unchanged from those initially submitted by Gladman in July 2022, raising serious questions about whether the engagement process is genuine or merely a procedural exercise.

We acknowledge and appreciate that Elivia only purchased the site earlier this year, so our expectation is that Elivia will now meaningfully engage with these issues, ensuring that the scheme is developed in a way that is well-integrated into the village and delivers a positive outcome for all stakeholders. A well-designed and policy-compliant scheme will be of greater long-term benefit to both the community and the developer, and this document serves as a foundation for achieving that goal.

Note regarding Planning Conditions

While Reserved Matters (RM) are primarily concerned with specific aspects such as layout, design, scale, and appearance, it is recognised that several important community concerns (e.g., drainage, environmental impact) are formally addressed through Conditions imposed by the Planning Inspector. Although Conditions typically fall outside direct RM discussions, Barcombe Parish Council highlights their critical importance in ensuring the development meets required standards.

We strongly encourage Lewes District Council Planning Department to allow Conditions to be subject to community and Parish Council scrutiny. Given the clear emphasis and expectations set by the Planning Inspector, this collaborative approach is essential to ensuring Conditions are robustly implemented and effectively enforced. We request early clarity from Lewes District Council regarding the mechanism and timing through which Conditions will be reviewed and monitored during this Reserved Matters stage, rather than waiting for retrospective enforcement actions or relying on call-in processes.

2. Lack of Community Engagement and Scheme Evolution to Date

We appreciate Elivia's willingness to begin community engagement, however, the timing and scope of engagement to date have been insufficient and the timescales now being proposed for both RM submission and construction do not accord with the necessary levels of engagement required. Elivia are required to submit a Statement of Community Involvement as part of the forthcoming planning application, which we consider will be insufficient as public consultation on the proposals has been minimal to date.

The absence of meaningful revisions despite extensive feedback from all stakeholders raises significant concerns. The scheme layout presented is fundamentally unchanged since Gladman's original proposal submitted nearly three years ago, which was developed then without any community input. This engages paragraph 137 of the NPPF, which states that applications demonstrating early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

This lack of evolution indicates inadequate consideration of extensive feedback provided over that 3-year period from the local community, which includes more than 200 objections to the initial application, Lewes District Council's (LDC) reasons for refusal and concerns, and specific concerns highlighted by the Planning Inspector (PI) in the appeal decision.

To enable meaningful community involvement and meet NPPF guidelines and address the many outstanding concerns that are rooted in local and national policy. Elivia must adjust their timeline to ensure thorough consideration and incorporation of community and policy feedback.

3. Comparison of the Master Plan's submitted July 2022 & March 2025



June 2022: Illustrative Masterplan taken from the original planning application.



March 2025: Proposed Masterplan taken from Preliminary Reserved Matters application.

Note: The lack of any meaningful changes despite well-documented concerns from Lewes District Council, the Planning Inspector, and residents suggests that key objections have not been properly considered.

4. Design, Layout, Building Height, Housing Mix & Materials

A well-designed development should respect and enhance the character of the surrounding village while ensuring cohesion with the existing built environment. The proposed scheme, however, raises concerns regarding scale, massing, proximity to existing dwellings (inc. housing density), material choices, and integration with local context.

The design should be sympathetic to Barcombe Cross's rural character, incorporating appropriate building heights, materials, and layouts that reduce the visual impact on the landscape and neighbouring properties (both heritage and non-heritage).

Planning Inspector's Findings

- Development must align with multiple local planning policies (detailed below) to ensure it respects the rural character and local context of Barcombe Cross.
- Policy references requiring the scheme to minimise harm to the setting of heritage assets (see Impact to Heritage Assets section).

Lewes District Council Concerns

- LDC raised concerns about high-density housing being inappropriate for the area.
- Need for better integration with the existing village and its surroundings.

Policy & Guidance References

- LPP1 Core Policy 10: Enhancement of locally distinctive and heritage landscape qualities and characteristic of the district.
- LPP1 Core Policy 11: High quality design to create sustainable places and communities. Achieved by respecting and where appropriate, positively contributing to the character and distinctiveness of the district's unique built and natural heritage. Development should respond sympathetically to the site and its local context.
- LPP2 Policy DM25 requires development to contribute towards local character and distinctiveness through high quality design. Amongst other matters, development should respond sympathetically to the characteristics of the development site, its relationship with its immediate surroundings and, where appropriate, views into, over or out of the site. Should be compatible with existing buildings, building lines, roofscapes and skylines. Existing individual trees or tree groups that contribute positively to the area should be retained.
- LPP2 Policy DM27: Development should demonstrate high quality landscape design, implementation and management. Landscape schemes will be expected to reflect, conserve or enhance the character and distinctiveness of the local landscape or streetscape, and integrate the development into its surroundings, adding visual interest and amenity.
- LPP2 Policy DM33 details that development affecting a heritage asset will only be permitted where the proposal would make a positive contribution to conserving or enhancing the significance of the heritage asset, taking account of its character, appearance and setting.
- NPPF Para 130(f): Developments should provide a high standard of amenity for existing and future users, ensuring privacy, daylight access, and preventing overbearing impacts.
- LPP2 Policy DM25: Requires new development to respect the character of the area and the relationship with existing buildings, ensuring that new dwellings do not cause unacceptable harm to neighbouring properties.
- Building Research Establishment (BRE) Guidelines on Daylight & Sunlight: Nationally recognised guidance on assessing the impact of new buildings on light levels for existing properties.

Outstanding Questions Requiring Mitigation (Design Concerns)

Housing Density & Layout

- Elivia has highlighted the enjoyment of the countryside for new residents in their proposal, but less consideration is given to how the scheme impacts the enjoyment of the countryside for existing residents.
- The transition between existing homes and the new development should be handled with greater sensitivity, including appropriate buffers to more sensitive areas (e.g. heritage assets).
- The proposed density and layout do not sufficiently reflect the organic, varied character of Barcombe Cross. The current scheme positions high-density plots in sensitive areas, particularly near heritage assets and other existing properties, where a more sympathetic approach is needed. The proposals will change the morphology of Barcombe Cross and its historic character as a rural village quite significantly, and a sensitive approach to massing is required to avoid a 'new-build' style character at a key entry point into the village.
- Additionally, the development is also weighted towards larger homes, which does not align with local housing needs or affordability priorities (Please see BPC NP). A more balanced housing mix, incorporating a greater proportion of smaller homes, would better serve the community while reducing the visual impact of the development. This is stipulated in the Lewes Local Housing Needs Assessment (LHNA) 2023 which sets out the indicative housing mix need over the plan period, with a particular focus on 2 and 3 bedroom homes.
- Extract from the LHNA Table 5-13: Indicative mix of homes needed at the end of the Plan Period to 2040 in Lewes by broad tenure."

Number of Bedrooms	Market (%)	Affordable Rented (%)	Overall (%)
1 bedroom	7.1%	55.2%	12.6%
2 bedrooms	38.9%	30.7%	38.0%
3 bedrooms	38.9%	13.3%	36.0%
4+ bedrooms	15.1%	0.8%	13.5%
Total	100.0%	100.0%	100.0%

- The proposals include a disproportionate number of 4+ bedroom homes (23%) which should be reduced to meet the actual predicted need identified in the LHNA.

Building Heights & Massing

- The Planning Inspector imposed a height limit of two storeys within the site, however the proposed development lacks variation in roof heights, which does not reflect the existing built environment of Barcombe Cross.
- Many of the homes adjacent to the site are a mix of 1, 1.5 and 2 storey buildings. The heritage assets, including The Barn and the cow shed attached to Mongers Farmhouse, are 1 to 1.5 storeys.
- In contrast, the proposed development is entirely two-storey, creating a disproportionate contrast that will appear out of place and would fail to provide visual relief across the site in a sensitive settlement-edge location.
- The building heights also appear high in the elevations, particularly those with larger footprints, which further exacerbates the sense of massing. In order to better integrate with the existing village character, the development should include a varied roofline, with a mix of dwelling heights (1 through to 2 storeys). This approach would reduce the visual impact of the development and provide a more sympathetic transition between new homes and existing properties.

Materials & Architectural Style

- The above demands and policies require investment in the quality and authenticity of design, local building crafts and material choices to meet the proximity to historic and conservation areas at close proximity to the site.
- The materials and architectural approach proposed for this development fail to sufficiently reflect the historic and rural character of Barcombe Cross, particularly given the sensitive location adjacent to designated Grade II listed heritage assets and conservation area opposite.
- The quality and authenticity of materials are of critical importance, and it is essential that the design respects and enhances the setting of Mongers Farmhouse (Grade II Listed) and The Barn (curtilage listed), ensuring the development does not detract from or dominate its historic surroundings.
- The National Planning Policy Framework (NPPF) Paragraph 200 states that: “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”
- Currently, the proposed standardised materials and lack of locally distinctive architectural features fail to meet this policy test. Given the close proximity of heritage assets, the design must respond more sensitively to its context, using high-quality, locally sourced materials that reflect traditional building techniques found in Barcombe Cross.
- One notable omission is the absence of flint walls, which are a key characteristic of the approach to Barcombe and throughout the village. The use of flint is an integral feature of the local streetscape, and its exclusion from the scheme represents a missed opportunity to create a development that blends harmoniously with its historic setting.
- To ensure compliance with policy and create a development that respects Barcombe’s heritage, the following materials and design elements should be prioritised:
 - Handmade bricks, reflecting traditional Sussex brickwork styles.
 - Clay roof tiles, avoiding uniformity and incorporating mixed tones for authenticity.
 - Flint and stone boundary walls, particularly along the site entrance and areas adjacent to Mongers Farmhouse.
 - Timber elements, referencing traditional barn and farmhouse structures found in the area.
 - Heritage-sensitive detailing, such as tile hanging, varied roof pitches, and carefully articulated façades, to avoid a generic suburban appearance.
- A more sensitive approach to façade treatments, boundary treatments, and streetscape design is required to integrate the development visually and culturally into its surroundings. The scheme should actively enhance its historic setting, rather than detract from it, in accordance with LPP2 Policy DM33.
- Given the heritage sensitivity of this site, the use of appropriate materials and traditional design elements is not merely a design preference but a policy requirement, ensuring the long-term protection and enhancement of the area’s historic character.

Proximity of New Dwellings to Existing Properties

- Residents living adjacent to the site have raised significant concerns about the close proximity of some of the proposed dwellings to their property boundaries and the negative impact this will have on the enjoyment of their homes. The introduction of new dwellings at short distances will impact privacy, light, and general residential amenity, particularly where garden spaces are directly overlooked or where the new buildings create an overbearing effect. Specific examples of this issue include plots 01, 11, and 17, where the proximity to existing homes is particularly concerning.
- These concerns were captured in a survey of existing residents whose homes directly border the proposed development, highlighting an issue that needs to be addressed (please see Appendix 01 Survey of Concerns from Existing Homeowners Bordering New Development). The survey also

identified concerns about increased flood risk to existing gardens, disruption to natural habitats, and the need for sensitive landscape buffering.

- To address these concerns and align with guidance and policy requirements, the following measures should be considered:
 - Ensuring adequate separation distances between existing and new homes to prevent overlooking and loss of privacy. Given the size of the development site, there is sufficient flexibility to adjust layouts to accommodate this without compromising the overall scheme.
 - Use of sensitive landscaping and screening to soften visual impact and provide additional privacy. A buffer zone of trees and planting can be implemented without affecting the site's housing capacity.
 - Orienting buildings and adjusting layouts where possible to reduce overshadowing and direct window-to-window overlooking. The site's scale allows for repositioning of key plots to better respect the amenity of existing residents.
 - Adhering to best practice daylight/sunlight guidelines to ensure existing properties are not adversely affected. The available space enables compliance with these standards without significant constraints.
- While these concerns apply to all existing dwellings surrounding the site, it is important to note that there are additional and distinct considerations for the heritage assets (Mongers Farmhouse and The Barn). The harm to the setting of these heritage assets was a key reason for the scheme's original refusal and is addressed separately in the Heritage Impact section.

5. Impact to Heritage Assets

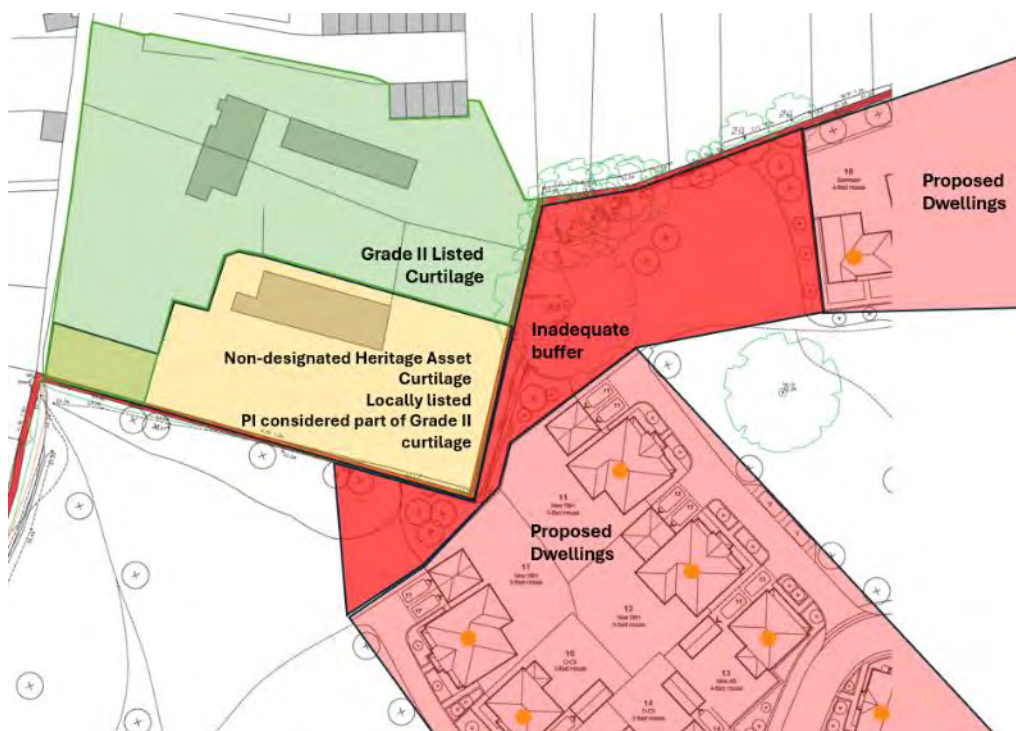
The proposed scheme is shown immediately adjacent to the Grade II listed heritage asset (and The Barn a non-designated heritage asset that is considered curtilage listed). The PI, LDC, BPC and local residents have all agreed that harm would be caused to the heritage asset due to the impact on its setting and that the proposed mitigation of a small residential open space is not sufficient. This is clearly illustrated below.

To date, there has been no demonstrable effort from either Gladman or Elivia to address these concerns through meaningful design revisions since the original scheme was submitted in Jul 2022.

Noting the harm caused to the heritage assets was LDC's original reason for refusal.

During the Reserved Matters stage, the harm to Mongers Farmhouse's setting must and can be mitigated through thoughtful design, layout, and landscaping. Ensuring that the visual and spatial relationship between Mongers Farmhouse, The Barn (curtilage and locally listed) and its historic agricultural setting is preserved as far as possible. A substantial and carefully designed buffer is essential to prevent the new development from visually dominating or encroaching upon the Grade II listed asset's setting. The transition between the historic farmstead and new development must be handled sensitively, respecting the heritage asset's character and significance.

Under NPPF 199, the Planning Inspector acknowledged the significance of this setting and afforded the harm significant weight in the decision. This reinforces the need for clear, enforceable mitigation in RM.



Inaccuracies in current Preliminary Scheme

1. **Inaccurate Mongers Farmhouse curtilage shown:** In section 4.4 of Elivia's preliminary scheme. The site layout inaccurately shows the eastern boundary of the curtilage as finishing much further away

from proposed dwellings than is actually the case. This also applies to the Southern boundary which is omitted from the plan. This gives an inaccurate impression of the proposed buffer zone.

2. **Overbearing mass of new dwellings not clearly shown:** The outline scheme doesn't show the new in elevation next to The Barn and Mongers Farmhouse. that the dwellings shown immediately adjacent to the curtilage of the protected Grade II listed heritage asset are very large (and high) properties, which and are located on a slightly higher elevation to the existing heritage assets, and their large mass will dominate the setting. This has not been acknowledged or made clear.
3. **Incorrect 4.3 Landscape strategy:** Incorrectly illustrates that there will be 'Retention and protection of hedgerows' in the curtilage of the Grade II listed asset, suggesting there is a buffer that isn't there.

Planning Inspector's Findings

The Inspector findings reinforce the need for significant mitigation within the RM stage to ensure compliance with both national and local heritage protections. The Inspector's decision stated:

- 'Significant weight' to the harm caused to the Grade II listed Mongers Farmhouse, in line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special regard to preserving the setting of nationally listed buildings.
- In accordance with NPPF 199, afforded 'significant weight in his decision' requiring that 'great weight should be given to the asset's conservation'.
- The farmland surrounding Mongers Farmhouse represents the last remaining link to its agricultural past, and its loss will sever this historical connection.
- The development will adversely affect the understanding of Mongers Farmhouse's historical origins and cause harm to its setting.
- The proposed landscaping and public open space are not sufficient mitigation, 'the rural character of the site cannot be replicated, and a domestic feel will replace the historic farmstead setting.'
- The proposal conflicts with LPP1 Core Policies 10 & 11 and LPP2 Policy DM33, which require development to protect and enhance the historic environment.
- The Barn's ownership, location, and historical use could indicate curtilage listing, further strengthening the case for protecting its setting.

Lewes District Council Reasons for Refusal

LDC refused the original planning application for two reasons, one of which was the harm to the Grade II listed heritage assets. LDC decision included:

- LDC disagreed with Gladman's appointed heritage consultant, LDC deemed that the harm to the protected heritage asset would be at the upper end of the scale.
- Affording significant weight to the harm of the Grade II listed heritage assets (Reasons for Refusal).
- The connection to the farmland is intrinsic to the heritage asset's historical significance.
- Stated that the harm to the heritage asset by severing it from its agricultural setting would be at the upper end of the spectrum, and the proposed scheme would fail to preserve its historic character.
- The proposed public open residential space was not adequate to mitigate the harm.

Policy & Guidance References

The current scheme is not compliant with policies for the protection of listed buildings, key policies and guidance highlighted below for mitigation. As referenced by both the Planning Inspector and LDC.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990: Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision-makers to give special regard to the desirability of preserving the setting of a listed building. Harm to a listed building's setting is a matter of considerable importance and weight and cannot be treated as a minor or secondary

concern. Courts have clarified that this legal duty overrides the planning balance, while harm may be outweighed by public benefits, it must still be clearly identified and minimised.

NPPF 199 Policy Extract: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be." The Reserved Matters (RM) application must still prioritise minimising this harm, despite the appeal outcome. The developer must demonstrate clear and effective mitigation strategies within the final scheme. The developer has not made any effort to minimise the harm through revised design or layout changes since this harm was highlighted by LDC and the PI.

Relevant **Historic England Policies and Guidance** that must be considered, including but not limited to **The Historic Environment and Site Allocations in Local Plans (HEAN3, 2015)**: "New development should avoid eroding the sense of place, significance, and distinctiveness of heritage assets and their settings. Where harm is unavoidable, it should be clearly justified and mitigated through careful design and appropriate landscaping."

Farmstead Assessment Framework (2015): "The significance of historic farmsteads is often derived from their relationship with the surrounding landscape. Development should respect these relationships and avoid severing farmsteads from their original rural setting."

Policy Extract (Historic England - The Setting of Heritage Assets): "The contribution of setting to significance does not depend on public rights or ability to access it. Significance is not determined by numbers of people visiting it." Noting that to date the developer's approach has only considered views of Mongers Farmhouse from the development, rather than other aspects of the setting.

Core Policy 10 (Historic Environment): Development must protect and enhance the historic environment. If harm is unavoidable, mitigation must be integrated into the scheme's design to minimise the adverse impact.

Core Policy 11 (High-Quality Design): Design must respond sympathetically to the site and its local context, particularly in relation to heritage assets. **Policy DM33 (Heritage Assets):** Any development affecting a heritage asset must seek to conserve or enhance its significance. The cumulative impact of small changes over time must also be considered, meaning individual design elements must not erode the overall heritage value.

Outstanding Questions requiring Mitigation

The harm to Mongers Farmhouse's setting was LDC's reason for refusal and the harm was acknowledged and afforded significant weight (in accordance with NPPF 199) by the Planning Inspector. The referenced local and national policies clearly require that adverse impacts on the setting of a Grade II listed property are minimised. How will Elivia ensure that the scheme is amended to mitigate that harm, given that there is ample space in the site to do so?

We recommend the introduction of a substantial buffer around the heritage assets, comprising soft landscaping such as a wildflower meadow, native woodland planting, and habitat creation. This would provide meaningful mitigation by preserving part of the farmhouse's agricultural and rural setting, fundamental to its historical significance, while also enhancing biodiversity, delivering environmental benefits, and creating a softer, more sympathetic transition between the new development and the heritage assets.

Furthermore, any dwellings within the heritage asset's setting must be designed appropriately in terms of scale, massing, materials, and architectural detail to ensure they respond sensitively to the heritage setting. This should avoid overbearing built form that dominates or detracts from the heritage assets and instead respect the rural character and historic significance of the farmstead.

6. Biodiversity & Ecology Protections

This section highlights the mandatory ecological protections requiring at least a 10% Biodiversity Net Gain (BNG), detailed ecological management plans (LEMP and CEMP), and comprehensive risk assessments, including off-site impacts. LDC has requested greater clarity regarding the long-term enforcement mechanisms for Biodiversity Net Gain (BNG) commitments and the ecological impact of increased artificial lighting, evidence-backed mitigation, and senior ecological review, particularly regarding long-term BNG management and lighting impacts.

Planning Inspector's Findings

- **Landscape and Ecological Management Plan (LEMP)** required at Reserved Matters stage.
- **Minimum Biodiversity Net Gain (BNG)** mandated at 10% with robust long-term management (Sch.A.12).
- **Construction Environmental Management Plan (CEMP)** must include precise scheduling/location for sensitive ecological works. Specialist ecologists must oversee site activities, protective barriers, etc. (Sch.A.11).
- **Detailed off-site risk assessment** for ecological receptors mandated.
- Compliance with **CSA Environmental Impact Assessment Report (No: CSA/3124/08, March 2023)**. Notably, this report identifies required off-site mitigation, though these mitigation proposals currently lack robust evidence as per national research and guidelines.

Lewes District Council Concerns

- **BNG Clarity:** LDC requires greater transparency on the mechanisms for maintaining, monitoring, and enforcing BNG commitments over the long term.
- **Potential Biodiversity Loss:** Concerns raised regarding increased footfall, light pollution, and habitat fragmentation adversely impacting local biodiversity.
- **Lighting Impacts:** LDC specifically noted insufficient details addressing lighting impacts on bats, birds, and the broader ecosystem.
- **Mitigation Evidence:** Biodiversity mitigation measures provided by the developer have been identified as inadequately detailed and poorly evidenced.
- **Senior Ecologist Review:** A detailed Ecological Impact review post-Inspector findings, especially regarding the CSA proposals, must be undertaken by an appropriately senior County Ecologist.

Policy & Guidance References

- **NPPF Paragraph 174(d):** "Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity."
- **NPPF Paragraph 180(a):** If significant harm to biodiversity cannot be avoided, adequate mitigation must be provided.
- **Lewes District Local Plan Policy CP10:** Development should result in measurable biodiversity gains and maintain connectivity for protected species.
- **The Environment Act 2021 (Section 98):** Mandates a minimum 10% biodiversity net gain for new developments.
- **Nature Recovery Networks Legislation and Principles:** Align project mitigation efforts with broader ecological connectivity and recovery objectives.

Outstanding Questions requiring Mitigation

1. **On-site BNG Commitment:** Confirm explicitly if Biodiversity Net Gain will be provided fully on-site and clarify if shared commitments with other sites (e.g., Chailey) could dilute local ecological benefits.
2. **BNG Calculation:** Does the biodiversity net gain calculation include the negative impact to nature assets in the vicinity of the development as well as the impacts on the site itself.
3. **Long-term BNG Management:** What specific mechanisms will ensure the ongoing monitoring, maintenance, and enforcement of BNG?
4. **Lighting Strategy:** How will the lighting strategy and lighting controls mitigate impact on nocturnal wildlife?
5. **Policy Compliance:** Reaffirm commitment to national and local policy requirements prioritizing on-site biodiversity gain over external offsetting.

7. Drainage, Water Management & Pollution Control

Local residents have raised concerns about flooding, groundwater seepage, and pollution risks from surface runoff and vehicle contaminants. The inspector has placed conditions on the development to create a comprehensive drainage strategy to mitigate these.

Planning Inspector's Findings

- The Inspector recognised that the surrounding area is prone to flooding, affecting the primary access route to the site.
- SchA.7 - 8: A comprehensive drainage strategy including surface water plan is required.
- SchA.9: A maintenance and management plan for the entire drainage system is required.
- 'Longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action' (i.e. the need on going accountabilities including resourcing)
- The Inspector highlighted concerns over groundwater seepage and linked this to a risk assessment of the potentially damaging construction activities; and identification of "biodiversity protection zones"

Lewes District Council Concerns

- LDC has documented instances of visible groundwater seepage from/near the site on both north and south sides plus the presence of an old well. Reinforcing concerns about the site's hydrology and the need for further assessments.
- Risks of environmental contamination from surface runoff, construction materials, and site road and vehicle related pollutants.
- The Council emphasised that the site drains into a number of water courses toward the Bevern Stream and to the River Ouse, which are sensitive water bodies requiring protection from contamination.

Policy & Requirements

- A comprehensive Drainage, Water Management & Pollution Control strategy will be required to fully address all policy and regulatory requirements. At present, this has not been provided, so no further comment can be made at this stage.
- Lewes District Local Plan Policy CP12: Developments must ensure no increase in flood risk and maintain water quality.
- Surface Water Drainage Guidance (DEFRA, 2021): Developments must provide sustainable drainage measures to prevent groundwater pollution. The environmental facts and risks of contamination from surface runoff, construction materials, and road and vehicle related pollutants are now well established.
- NPPF Paragraph 167: Development must not increase flood risk and should incorporate sustainable drainage.
- Inspector's Decision Conditions: Require a detailed drainage strategy, groundwater monitoring, and pollution control measures before construction begins.
- The well-documented impact of road runoff pollution on sensitive water bodies, as highlighted in DEFRA's 2021 Surface Water Drainage Guidance, the proposed development must provide a robust pollution control strategy.

Outstanding Questions Requiring Mitigation

1. How will road runoff pollution be effectively managed, considering it is the third-largest water pollutant and a key environmental concern?

2. Has the drainage strategy fully accounted for both surface and groundwater risks, particularly in relation to high groundwater levels and seepage risks?
3. How will the attenuation ponds function effectively if groundwater levels are high, given that they require a 1m unsaturated zone above groundwater?
4. What specific measures will be implemented to prevent construction runoff from contaminating local watercourses?
5. How will vehicle pollutants be mitigated to prevent long-term contamination of nearby natural drainage systems?
6. How will the development ensure compliance with LDC's concerns regarding pollution risks from both during construction and in the longer-term?

8. Transport, Access, Highway Safety & Construction Traffic Management

This section assesses transport and highway safety issues in relation to the proposed development. It incorporates key findings from the Planning Inspector's decision, Lewes District Council's concerns, and relevant policies. A detailed review of pedestrian and cycle access, as outlined in Appendix 03, reveals several critical gaps that must be addressed to ensure compliance with planning conditions and local transport policies.

Planning Inspector's Findings

Key points from Inspectors decision notice:

- Whilst stated that no objections were raised by the Highway Authority, the Inspector acknowledged that many local objections raised about traffic flow estimations and the impact of redirected traffic from flooding events.
- The Planning Inspector acknowledged that Barcombe Mills Road is the primary access route and recognised existing flooding issues that impact its usability.
- Condition SchA.10 mandates the submission and approval of a detailed Construction Method Statement to manage construction-phase impacts, ensuring minimal disruption to residents and existing highways.

Lewes District Council Concerns

- Identified risks for pedestrians and cyclists from increased vehicle movements.
- Raised concerns regarding increased traffic impacts on local roads, especially during flood-related diversions.
- Emphasised the importance of effectively managing construction traffic to minimise impacts on residents and local infrastructure.

Policies & Guidance References

- NPPF Para 110-113: Developments must ensure safe, suitable access and mitigate any significant highway impacts.
- LPP1 Core Policy 13: Requires developments to minimise traffic impacts, promote sustainable transport, and ensure highway safety.
- East Sussex County Council Transport & Accessibility Standards: Requires safe site access, consideration of walking and cycling infrastructure, and mitigation of increased traffic impacts.
- Inspector's Conditions (SchA.5-6, 10): Require a detailed highway scheme, including footways, crossing points, and bus infrastructure, plus a Construction Method Statement to manage construction-phase impacts. NPPF Paragraph 110: Development should ensure "safe and suitable access for all users."
- Lewes District Local Plan Policy T1: Requires developments to demonstrate that traffic impacts are manageable and that sustainable transport options are promoted.

Outstanding Questions Requiring Mitigation

- Enhanced Traffic Calming Measures near the new junction.
- Construction Traffic Management Plan (CTMP) Implementation. Restrict construction traffic to designated routes to avoid village centre congestion. Define construction hours to minimize disruption to residents. Provide clear enforcement measures for non-compliance.
- Flood Diversion Traffic Mitigation: Provide a detailed contingency plan for managing redirected traffic when Barcombe Mills Road floods.
- Pedestrian and Cyclist Safety Improvements (as highlighted in Appendix 03) –

- Deliver a 2m-wide pedestrian/active travel path from the development to the village roundabout, improving access to local amenities and schools.
- Upgrade the existing western footpath, which is currently too narrow and inaccessible for wheelchairs and pushchairs.
- Create a new eastern active travel path linking the development to Barcombe Mills, with all-weather surfacing for year-round use.
- Updated Traffic Impact Assessments: Existing assessments may underestimate actual impacts—updated studies should reflect real-world traffic conditions and local experiences.
- Alternative Pedestrian and Cycle Routes: The potential for an eastern path connection to Barcombe Mills.

9. Lighting & Environmental Impact

Artificial lighting has the potential to significantly impact both the rural character of Barcombe Cross and the surrounding biodiversity. The Planning Inspector and Lewes District Council (LDC) have both acknowledged the risks associated with excessive lighting, particularly concerning its effects on nocturnal wildlife, dark skies policies, and residential amenity. Given the site's sensitive setting, it is essential that a well-considered lighting strategy is implemented to mitigate these impacts.

Planning Inspector's Findings

- A lighting strategy must be submitted and approved before the first occupation of any dwelling.
- The Inspector acknowledged that lighting could impact biodiversity, particularly bats and other nocturnal wildlife.
- The Landscape and Ecological Management Plan (LEMP) must include lighting controls to maintain dark corridors.

Lewes District Council Concerns

- LDC raised concerns about light spill from streetlights and residential areas disrupting the local rural setting.
- The Council noted the need for a dark skies policy to preserve local biodiversity and rural character.

Policy & Guidance References

- NPPF Paragraph 185(c): Requires developments to "limit the impact of light pollution on local amenity, dark landscapes, and nature conservation."
- Gov. Light Pollution. Guidance for the planning system. Last updated 2019.
- Lewes District Local Plan Policy CP8: Development must minimise light spill and use appropriate low-impact lighting.
- Inspector's Decision Condition: Requires a fully approved lighting scheme before occupation and must include long term management and anticipation of residents' perspectives.

Outstanding Questions requiring Mitigation

- How will the development mitigate its impact on existing residents, particularly regarding light pollution and environmental disruption?
- Will the developer commit to reduced or low-intensity lighting to minimise ecological and residential impact?
- What measures will be implemented to prevent light spill onto wildlife corridors and Public Rights of Way (PRoWs)?
- Can the Barcombe Parish Council Dark Skies Policy be formally incorporated into the Reserved Matters application?
- What sustainable energy solutions are being proposed, and how do they align with relevant policies?
- How will the lighting strategy ensure safety while also meeting the Inspector's requirement for an environmentally sensitive approach?

10.Sustainability Considerations

Planning Inspector's Findings

- The Inspector noted that the development must contribute to sustainability objectives, particularly through energy-efficient design, biodiversity net gain, and sustainable drainage.
- The Landscape and Ecological Management Plan (LEMP) must include sustainability measures related to biodiversity and long-term habitat protection.
- Lighting strategy and surface water management must ensure environmental protection and climate resilience.

Lewes District Council Concerns

- LDC raised concerns about the carbon footprint of new homes, seeking commitments to high energy efficiency standards and renewable energy integration.
- The Council emphasized that the biodiversity net gain (BNG) strategy must be robust, with a preference for on-site rather than off-site mitigation.
- Concerns were raised about transport sustainability, particularly in ensuring the development prioritises pedestrian, cycling, and public transport access.

Policy & Guidance References

- NPPF Paragraph 152: Development should support mitigation and adaptation to climate change.
- Lewes District Local Plan Policy CP14: Requires new developments to meet high environmental standards and support low-carbon living.
- Inspector's Decision Condition 12 & 19: Requires BNG implementation, sustainable drainage, and a robust LEMP.

Outstanding Questions requiring Mitigation

- How will the development incorporate renewable energy sources (e.g., solar panels, heat pumps both air and ground source)?
- Will the homes be built to a high energy efficiency standard (e.g., Passivhaus or EPC A rating)?
- Will all homes be built with heat pump infrastructure, not just those outside the affordable category because of the inefficiencies in avoidable retrofitting?
- What water saving measures will be included ie rainwater harvesting?
- Can the BNG commitment be fully delivered on-site rather than relying on offsetting?
- What measures are being taken to encourage cycling, walking, and public transport use?

11. Local Infrastructure Capacity

Local Infrastructure Capacity & Considerations

Planning Inspector's Findings

- The Inspector acknowledged concerns about increased demand on local infrastructure, including schools, healthcare, and transport links.
- However, the decision noted that no objections were raised by service providers, and contributions for bus service improvements were secured through the Section 106 agreement.
- The Inspector accepted that the site has reasonable access to local services, but recognised that the availability of and access to medical and educational facilities remains a fact based (local) concern.

Lewes District Council's Concerns

- Recognised that the new dwellings will be car and multiple service and delivery vehicle dependant.
- Concerns were raised over parking at Cooksbridge train station and how increased commuter traffic may impact surrounding villages.

Policy & Guidance References:

- NPPF Paragraph 8: Requires sustainable development to provide sufficient infrastructure to support local communities.
- Lewes District Local Plan Policy CP6: Requires developments to ensure adequate local service provision, particularly in rural settlements.
- Inspector's Decision Section 44-47: Notes that additional school, GP, and transport demand will arise but lacks clear mitigation commitments beyond Section 106 contributions.

Outstanding Questions requiring Mitigation

- What investments will be made to reduce car dependence?
- What is EV charging plans, would seem that > 70 EVs charging at the same time is a big increase in electricity demand.
- Sewerage management is a concern for residents, how will the scheme be developed to mitigate these concerns?
- Active travel provision...?
- How will the increased demand for school places and GP appointments be managed? Have local service providers been consulted?
- What measures will be put in place to manage commuter parking pressures at Cooksbridge and other transport hubs?
- Can additional Section 106 contributions or mitigation measures be considered to support local services?
- How will the impact on local roads and public transport be monitored post-construction?
- Sewage Capacity: "Will sewage capacity be adequate to support 70 new homes?"
- Electricity Capacity: "Will the local electricity supply be sufficient to accommodate 70 homes, including simultaneous Electric Vehicle (EV) charging and Air Source Heat Pump (ASHP) operation?"
- Water Supply: "Will the water supply infrastructure be adequate to serve an additional 70 homes?"

Appendix 01: Survey of concerns from residents whose homes directly bordering the development.

As part of the community engagement efforts, members of the BCP Blackcurrant Field Development Working Group canvassed local residents whose properties directly border the proposed development site. Residents were asked for their views on two key areas:

1. Do you have any concerns about the proximity of houses to your property, or any other concerns about the development?
2. Do you have any thoughts about the design and look of the houses that will be built?

The responses are summarised below:

Concerns About Proximity of New Homes and Other Issues

Privacy & Overlooking

Residents of Mongers Mead, Mongers Farm and The Barn whose homes will have new dwellings positioned directly behind them, raised significant concerns about loss of privacy. The proposed layout could result in windows from new houses directly overlooking their gardens and homes, significantly altering their current level of seclusion. Several respondents noted that they currently do not need curtains or blinds and that this change would have a negative impact on their quality of life.

Residents questioned the orientation of new homes and suggested that where possible, houses should not directly back onto existing properties. A gable-end approach, where fewer windows face existing homes, was suggested as a way to reduce direct overlooking. Concerns were also raised about light pollution from homes that are too close to existing properties.

Flooding & Drainage

Some gardens at the southern end of Mongers Mead already experience seasonal flooding due to surface water runoff. Residents expressed concerns that the new development could exacerbate this issue, especially given climate change and increasing rainfall patterns. Many felt that drainage solutions must be prioritised to ensure water is managed effectively and does not impact existing homes.

Need for a Green Buffer Zone

A recurring theme among residents of Mongers Mead, Mongers Farm, and Weald View was the need for a substantial green and wild (not residential open green space) buffer zone between existing and new homes. Suggestions included:

- A line of native trees to soften the visual impact. However, some residents expressed concerns about trees blocking light to existing gardens, reinforcing the need for adequate separation distances.
- A wildflower strip or ecological corridor to enhance biodiversity and help offset the impact of development.
- A landscaped mound to act as a natural screen between the two developments.

Lighting & Environmental Impact

Concerns were raised about the impact of street lighting, with many residents stressing that the local Dark Sky Policy must be upheld to preserve the rural character of the area. The preservation of existing oak trees was also widely supported, as these are habitats for owls, ravens, buzzards, kestrels, and bats.

Parking & Traffic

There was strong concern about the potential for parking congestion, given that many households in the area own at least two cars. Residents stressed the need for the development to provide adequate off-street parking to avoid putting additional strain on village roads.

Several people also raised concerns about road safety and increased traffic, particularly during the construction phase and as a long-term impact of new residents.

Heritage Protection

Residents of Mongers Farmhouse emphasised the importance of protecting and mitigating harm to this designated heritage asset. They highlighted that the Planning Inspector's report explicitly referenced the need to minimise harm, further reinforcing the need for a substantial green buffer and sensitive site layout to preserve the setting.

Infrastructure Capacity

Concerns were raised about whether local infrastructure—particularly sewerage systems—could accommodate the additional homes. Many residents also felt that the development should prioritise affordable housing, ensuring that it meets genuine local needs.

Views on House Design & Character

All respondents expressed a preference for a traditional architectural style, incorporating materials such as hung tiles and flint to match the character of the village. Some residents pointed to the Lavender Fields development in Isfield as a good example of high-quality, locally appropriate design.

Given the increasing impact of climate change, several respondents felt that the homes should be designed with sustainability in mind. Specific suggestions included:

- Solar panels incorporated into the build rather than as an afterthought.
- Window placement and shading strategies to mitigate overheating in summer and improve energy efficiency.

Conclusion

The concerns raised by local residents highlight the significant impact this development could have on privacy, flooding, local infrastructure, and the environment. There is strong community support for a meaningful green buffer, improved drainage solutions, and a design approach that respects the local character.

These concerns must be meaningfully addressed in the Reserved Matters application, ensuring that the development is appropriately integrated into the existing village and does not cause avoidable harm to residents or the local environment.

Appendix 02: Ecology response to CSA Ecology report with links to Inspector appeal decision.

This appendix outlines ecological concerns regarding the CSA Ecology Report and its conclusions, linking them to the findings of the Planning Appeal Inspector. It highlights gaps in evidence, the need for stronger mitigation measures, and the ecological significance of the site and its connections to surrounding habitats.

Ecological Concerns Identified in Developer's Submission

The Developer's Ecology Submission acknowledges the following:

- a. **Potential for Adverse Effects** – Risks to the Local Wildlife Site (LWS) and Ancient Woodland due to habitat degradation and predation.
- b. **Requirement for Mitigation** – The report recognizes that measures are needed.
- c. **Limited Mitigation Proposals** – The suggested mitigation strategies are minimal and not fully justified.
- d. **Unsubstantiated Conclusion** – The report ultimately claims that these measures will eliminate significant effects, but no robust evidence supports this conclusion.

The **CSA Ecology Report** states that there will be “no significant effect,” yet fails to provide sufficient ecological evidence or align with up-to-date ecological guidance and government policies.

Inadequate Mitigation Measures

- a. **Predation from Domestic Pets:** The CSA Report suggests mitigation via homeowner information packs, encouraging indoor pet management and the use of bell collars for cats. However, this approach lacks strong enforcement mechanisms and overlooks additional mitigation measures referenced in planning guidance.
- b. **Connectivity to LWS and Ancient Woodland:** The report acknowledges the site's ecological links but does not integrate this into its impact assessment or proposed mitigation strategies. This omission is critical, given the site's role in a wider nature network recognized under the Environment Act 2021.
- c. **LWS Status & Nature Corridor:**
 - a. An independent ecology report for an adjacent part of the corridor below the field concluded that the area merits application for LWS status.
 - b. LWS assessments in Sussex have been paused for over five years.
 - c. A County Ecologist described the section of the corridor next to the existing LWS as in effect a continuation of the existing LWS, reinforcing its ecological importance as a nature corridor.
 - d. While LWS designation strengthens conservation through recognition, ecological impact assessments and mitigation should be applied regardless of formal LWS status.

Additional Ecological Impact Considerations

Water Pollution & Drainage Risks

- a. **Polluted Runoff:** The site, being highly multi vehicle-dependent because of its rural location and relatively dense domestication, will produce polluted runoff that naturally drains into local watercourses unless adequately managed and prevented long term.
- b. **Long-Term Management & Accountability:** There must be guaranteed responsibility for preventing ecological harm caused by water contamination, per national research-based guidance.
- c. **Developer's Drainage Plan:** The proposal includes a long-term runoff outlet toward local watercourses and ecological systems, posing potential environmental risks.

Ground-Nesting Birds

Nightingales:

- a. Nest annually in scrub at the site's edge, forming part of a network of breeding sites along the railway corridor.
- b. Sussex Ornithology Society's expert mapping and site-specific recordings confirm their presence.
- c. Nightingales are a red-listed species, requiring scrub habitats and nest near the ground, making them highly vulnerable to predation by domestic cats and dogs.
- d. Research evidence warns that domestic pets significantly increase nest disturbance and abandonment rates.

Light Pollution

Negative Impact on Biodiversity & BNG Compliance:

- a. The introduction of 70 households will significantly increase artificial lighting.
- b. The impact on nocturnal species (e.g., bats, moths, and their predators) must be carefully assessed and mitigated.

Long-Term Lighting Strategy Required:

- a. The Appeal Inspector has mandated long-term ecological management, meaning any proposed lighting mitigation must be robust and enforceable.
- b. Referenced government documents, RSPB guidance, and species-specific research highlight the critical impact of artificial lighting on ecosystem stability.

Presence of Protected & Sensitive Species

- a. Bats: Multiple species detected in the area, including reportedly rarer species nearby.
- b. Barn Owls: Forage locally, as evidenced in multiple and recent video recordings.

Conclusion & Recommendations

The available ecological evidence and expert assessments contradict the CSA Ecology Report's conclusion that the proposed mitigation measures will eliminate significant ecological effects. Instead, they indicate that:

- ☑ More substantial and effective mitigation is required to address predation risks, habitat connectivity, water pollution, light pollution, and biodiversity loss.
- ☑ Long-term ecological management and monitoring must be secured as required by the Planning Inspector.
- ☑ Independent ecological assessment is needed to ensure compliance with the Environment Act 2021, BNG requirements, and LDC environmental policies and obligations.

These factors must be formally considered within the Reserved Matters application to ensure that biodiversity protections meet national and local policy requirements.

Appendix 03: Pedestrian & Cycle Access

Introduction

This document sets out recommendations to ensure that Elivia Homes meets Condition 62 of the planning appeal, specifically addressing sustainable transport, highway safety, and active travel obligations originally detailed in the Gladman planning proposal.

Inspector's Condition 62: "In the interests of encouraging sustainable transport and highway safety, conditions are required for road and footpath infrastructure, and access visibility. To ensure acceptable surface water drainage, conditions are necessary for provision and management. A condition for a Construction Method Statement for development works and activities is necessary in the interests of residents' living conditions and highway safety."

Context and Commitments

The original Gladman planning submission dated 10/6/2022 included clear commitments to pedestrian and cycle infrastructure and alignment with the Building for a Healthy Life (BHL) toolkit, which seeks to promote active travel, community well-being, and environmental sustainability. However, these have not been fully replicated in Elivia Homes' current proposals.

Gladman Original Commitments (June 2022):

1. Provision of a new 2m wide footway on each side of the primary vehicular access road.
2. New footway along Barcombe Mills Road linking to existing footways at Monger's Mead.
3. Opportunity for a new pedestrian crossing south of the main vehicular access, linking to the footpath south of the Village Hall.

Extracts from Gladman/CSA submission dated 10/6/2022:

Pedestrian Access:

Pedestrian access to the Site will be available at the vehicular access point, and via a pedestrian access point from the Site's northeastern corner to Barcombe Mills Road. A new 2m wide footway will be provided on each side of this access road. A new section of footway along Barcombe Mills Road will continue the direct link to the existing network of footways at the Monger's Mead/Barcombe Mills Road junction. The opportunity exists to provide a new pedestrian crossing point to the south of the primary vehicular access point, to create a convenient pedestrian connection to the public footpath south of the Village Hall.

Although the provision of publicly accessible paths within the development is welcome these don't currently connect to anything other than the existing pavement and the short stretch they have proposed to build to Monger's Mead doesn't connect to the centre of the village.

Building For a Healthy Life (BHL)

Further, the planning proposal included a commitment to adhere to the BHL toolkit:

'A Design Toolkit for neighbourhoods, streets, homes and public spaces'

BHL is one of the most widely used design tools in England, for creating places that are better for people and nature. It was written in partnership with Homes England, NHS England and NHS Improvement, and is structured to set clear expectations for new developments. By following BHL's structure, the following Statement offers a clear set of design qualities and 'testable' principles for the application at Barcombe Cross. By following BHL, a critical aspect of the proposals for the Site is to design for active travel and access to green space. The ability to walk and cycle within the new neighbourhood and further afield to essential services and work, is key in order to minimise traffic and mitigating climate change. Equally, and as BHL sets out, the COVID-19 pandemic has reinforced the importance of designing for active travel. This is in recognition that

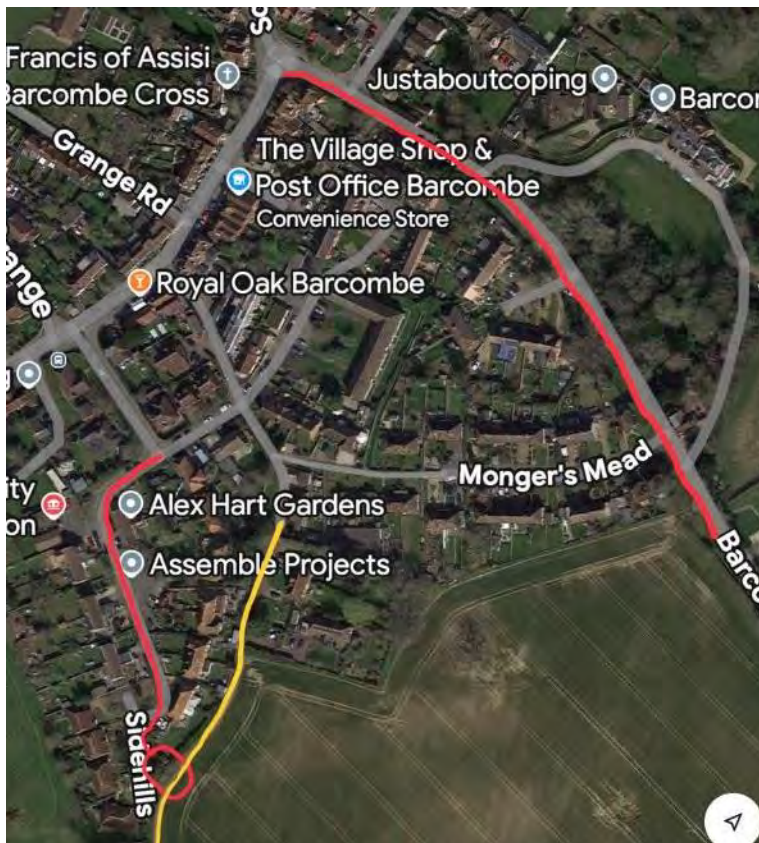
design choices that help people feel disposed to walk or ride a bicycle in their neighbourhood, are critical to supporting a sense of well-being from outdoor exercise. The development of the Site will also respond positively to climate change. The principles embedded in BHL as a whole creates the basis for a sustainable development, including in relation to designing for active travel, maximising access to green space, working with the existing landscape, and securing biodiversity enhancements.

Considerations for Delivery of new Active Travel Infrastructure:

Suggestions are as follows to ensure that Elivia do deliver on the promises outline in the original plan (and adhere to the East Sussex County Council transport policy entitled “Let’s get cycling and walking”.

1. Deliver a new 2m wide pavement/active travel path that runs from the new development to the roundabout in the village. The current path is inadequate and cannot accommodate additional pedestrian traffic. The proposed path would allow pedestrian access to the shop and the pub without having to cross the road and would ensure that children walking to Barcombe school would cross the road where the traffic is slower, it would benefit both new and existing residents. Maps and photos below.

NOTE: However, additional car parking spaces would need to be provisioned in a suitable location in this area to compensate for the loss of the lay-by spaces.





2. Improve the access to the village from the existing footpath on the west side of the development. This path is routed through the back of the houses on Weald View and is very narrow (pushchairs and wheelchairs wouldn't be able to use this path). I would propose a new access point to this path through Sidehills, which would increase the capacity of the path, it would also need to be made winter-resilient, as it's currently very muddy.





- There is no pedestrian access south of the site, in order to get to Barcombe Mills you would need to walk along the road to Camoys corner, which is not for the faint of heart at rush hour. I propose a new active travel path with a winter-resilient surface be established by on the east side of the development, which would then connect to the footpath to Barcombe Mills in the bonfire field. The path across the bonfire field needs to be upgraded to a bridlepath, to allow cycle access to the proposed new Uckfield to Lewes Greenway.

