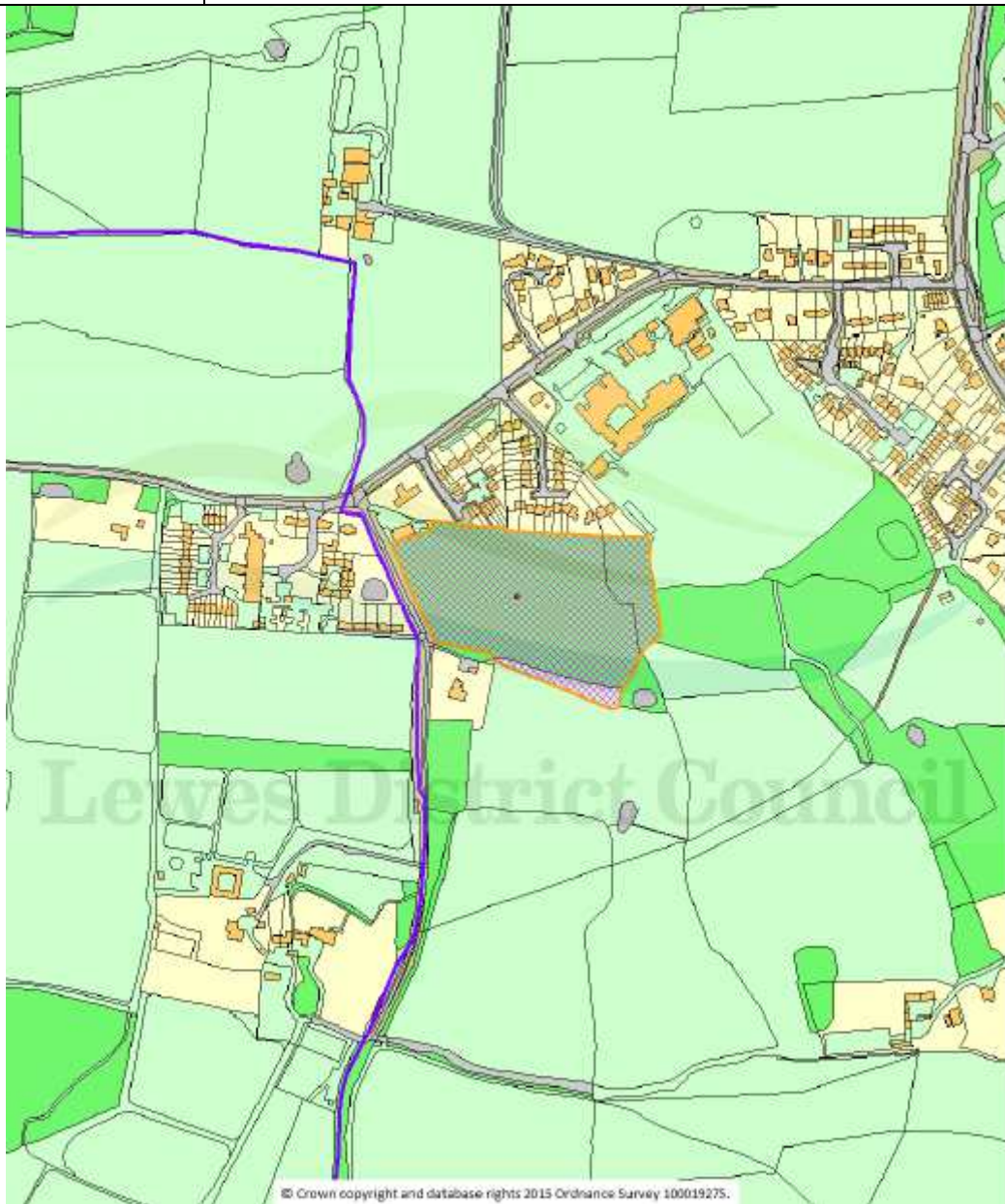


<b>APPLICATION NUMBER:</b>	LW/17/0697	<b>ITEM NUMBER:</b>	<b>6</b>
<b>APPLICANTS NAME(S):</b>	RV Developments Gradwell Ltd	<b>PARISH / WARD:</b>	Chailey / Chailey & Wivelsfield
<b>PROPOSAL:</b>	Planning Application for Care accommodation (C2) comprising 65 extra care units, clubhouse and social area, other care and associated facilities together with landscaping and parking		
<b>SITE ADDRESS:</b>	Land At Gradwell End South Chailey East Sussex		
<b>GRID REF:</b>	TQ3817		



## 1. SITE DESCRIPTION / PROPOSAL

1.1 The application site is an open area of countryside outside of the defined settlement boundary, and situated to the south of Gradwell End and The Martletts in South Chailey.

1.2 The site covers an area of approximately 2.8 hectares and is bounded by the residential areas known as Gradwell End and The Martletts along its northern boundary. To the east of the site is Chailey School playing field and the Ancient Semi Natural Woodland of Drapers Wood. To the south of the site is open countryside. To the south west of the site is a grade II listed property known as Pouchlands Farmhouse. To the west of the site is a public footpath running south from Mill Lane. Further west there are the residential areas of Maytree Cottages, Oaklands and Pouchlands Drive. To the north west of the site there is a doctor's surgery and a residential dwelling known as Green Acres. Running from east to west, to the south of the site, is a bridleway which at the closest point would be 160 metres from the site.

1.3 The site itself is well contained especially with regards to the public realm, with boundary hedging surrounding most of the site, including a belt of trees along the western boundary. To the east and south east of the site there is a belt of mixed trees, adjacent to Drapers Wood, Chailey School and properties in The Martletts. These trees provide a significant belt of screening, between 15 to 35 metres deep, and are subject to a group Tree Preservation Order, (No. 7) 2008, which was raised during the course of application LW/08/1038. The northern boundary has a mixture of mature and semi-mature trees with some lower level hedging. The site extends approximately 230 metres from east to west, and approximately 125 metres from north to south. There is a significant change in level across the site from north to south, although not uniform in profile. From the north western to the south eastern corner of the site, levels drop by approximately 10 metres.

1.4 The surrounding area is characterised, to the north and west, by low density housing, with detached, semi-detached and short terraces of dwellings, with the former hospital site of Pouchlands further to the north west, and open countryside to the south and east. The dwellings are all predominantly two storey with pitched roofs, although there are some bungalows, and the former hospital building has a more robust scale. The largest building in the immediate area is Chailey School, which is a secondary school catering for just over 840 pupils, and which has accommodation ranging from single storey porta cabins to two storey buildings with pitched roofs.

1.5 In 2013, an application was sought for a major new-build Nursing and Care Complex, an integrated, self-contained residential institution falling within Class C2 of the Use Classes Order. It was for 40 nursing and dementia rooms and 40 extra care units. The development would provide dedicated care to residents, domiciliary care to people in their own homes as well as day care provision to the wider community. It also included a shop/kiosk, small treatment room/gym, hairdressers, small library with computer facilities, a multi-function room with bar and dining area, meeting/hobbies room, and allotments. That application was refused permission by the Planning Applications Committee. However, a subsequent appeal was upheld and permission granted on the 16 February 2015. The site has now been cleared and all protected fauna relocated to the receptor sites to the south in readiness for development following approval of the previous application LW/13/0620 at appeal (APP/A/14/2220421).

1.6 The current proposal comprises 65 extra care units in the same built form that has approval. It will also include shop/kiosk, meeting /hobbies room, hairdresser, treatment room/gym, and a multi-function room which will include bar, dining area, library and computer suite. The site will also include allotments, landscaping and parking areas.

1.7 The proposal is very similar to the approved scheme in terms of form and siting, the number of buildings, height, design and general quantum of development. The principle difference between the two schemes is that Block E will change from providing a 40 bed care home into 25 extra care units.

1.8 The development will be arranged in five distinct blocks of buildings, being a mix of single storey (block D) and two storey buildings, with some accommodation within the roof space. Block E, the block with the largest footprint, will still accommodate the main community and administrative facilities for the development. The community facilities will be open to all, residents and the wider public/community.

1.9 All access and parking arrangement will remain as previously approved by the Inspector. The site would be accessed through the residential close of Gradwell End, an 'L' shaped cul-de-sac of 14 semi-detached dwellings, which is situated off Mill Lane, and located approximately 470 metres to the east of the main A275.

## 2. RELEVANT POLICIES

**LDLP: – ST03 – Design, Form and Setting of Development**

**LDLP: – ST11 – Landscaping of Development**

**LDLP: – CT01 – Planning Boundary and Countryside Policy**

**LDLP: – CP2 – Housing Type, Mix and Density**

**LDLP: – CP10 – Natural Environment and Landscape**

**LDLP: – CP11 – Built and Historic Environment & Design**

## 3. PLANNING HISTORY

**LW/10/1010** - Erection of C2 accommodation comprising six bed specialist nursing unit, 24 elderly mentally infirm (EMI) rooms, 30 nursing home rooms, 55 extra care flats with associated support facilities and on-site parking provision - **Refused**

**LW/13/0620** - Erection of C2 accommodation comprising 40 nursing and dementia rooms and 40 extra care units with associated support facilities together with on-site parking provision and landscaping - **Refused**

**LW/17/0697** - Care accommodation (C2) comprising 65 extra care units, clubhouse and social area, other care and associated facilities together with landscaping and parking -

**LW/08/1038** - Erection of C2 accommodation comprising 24 EMI rooms, 61 nursing home rooms and 74 close care flats with associated facilities together with landscaping and parking - **Withdrawn**

**LW/15/0704/CD** - Discharge of condition 21 relating to planning approval LW/13/0620 - **Split**

**LW/16/0808** - Non-material amendment relating to LW/13/0620 amendments to movement of building B, lowering of roofs of buildings A, B, C and E and a number of other revisions to the building design and appearance - **Refused**

**LW/16/0957** - Non material amendment in relation to planning approval LW/13/0620 for the moving of Block A 3m south, and moving of the entrance of the club house from the western to the southern elevation of the building - **Approved**

**LW/17/0024/CD** - Discharge of conditions 3, 4, 5, 6, 8, 12, 13, 14, 17, 24, 26, 35, & 37 relating to planning application LW/13/0620 (approved on appeal) - **Split**

**LW/17/0099/CD** - Discharge of conditions 7, 20 & 27 relating to planning application LW/13/0620 (approved on appeal) - **Approved**

**LW/17/0217/CD** - Discharge of conditions 12, 13 and 23 relating to planning refusal LW/13/0620 (allowed on Appeal) as amended by LW/16/0957 - **Approved**

**LW/17/0527/CD** - Discharge of condition 4, 24 and 37 and updating of plan reference for conditions 3, 8 and 12 relating to planning application LW/13/0620 (approved on appeal and amended by LW/16/0957) -

**LW/17/0533/CD** - Discharge of condition 9 relating to planning application LW/13/0620 (approved on appeal and amended by LW/16/0957) - **Approved**

**LW/17/0630/CD** - Discharge of conditions 14 relating to planning application LW/13/0620 (approved on appeal and amended by LW/16/0957) - **Approved**

**LW/17/0663/CD** - Discharge of condition 21 (parts b and c) relating to planning application LW/13/0620 (approved on appeal and amended by LW/16/0957) - **Approved**

**APPEAL/14/0014** - Erection of C2 accommodation comprising 40 nursing and dementia rooms and 40 extra care units with associated support facilities together with on-site parking provision and landscaping - **Allowed**

#### **4. REPRESENTATIONS FROM STANDARD CONSULTEES**

**4.1 Chailey Parish Council** – resolved to SUPPORT this application.

**4.2 East Chiltington Parish Council** – The application was discussed at the East Chiltington Parish Council meeting on 7th September. As an adjoining parish with a large number of residents living close to the site, we feel it appropriate to comment.

Two issues were discussed:-

1. The removal of the care home element of the previously agreed plans. ECPC felt that the removal of the care home element of the proposal is inadequately justified. This was a core element of the previously approved plans and we therefore object to the application for this reason.
2. Whether, if the application were approved, it should have C2 or C3 status. We consider that taking away the care home and ASC care beds of the scheme would leave an essentially residential development. Therefore, the application should be classified as C3 if it were to be approved

**4.3 Hamsey Parish Council** – Object

4.3.1 This is a major development which, although not in Hamsey parish, is considered of legitimate concern to us as the adjoining parish, considering the extent to which this development impacts on the character of the area. Replacing 40 dementia rooms with 25 care flats is likely to add considerably to traffic movements. As an adjoining parish, the

extra traffic generated will, of course, affect residents of Cooksbridge. Also, this development, being adjacent to the Secondary School is likely to add to the already considerable congestion our residents face in Mill Lane, when coaches and cars arrive in large numbers at school pick up/drop off.

4.3.2 It is the considered opinion of Hamsey Parish Council that the original application, being outside of the planning boundary and on a green field site, would have been refused permission had it been for a residential development rather than a care home. The developers sited a district wide need for care facilities as justification for permission to be granted.

4.3.3 Hamsey Parish Council feel that removing the care home element and ASC care beds from the scheme will actually leave a residential development and therefore the parish council wish to object.

4.3.4 Hamsey Parish Council also note that the most intensive blocks (blocks A, B and C) effectively have false pitched roofs, as on the plans part of the roofs are flat. This is a crude design device - a more honest approach would be for the roofs to be entirely flat and for the design not to be pastiche but modern. Overall, Hamsey Parish Council feel the designs are most uninspiring.

4.3.5 Hamsey Parish Council also consider the application should be classified as C3 if it were to be approved.

**4.4 Environmental Health** – In principle our concerns regarding this site remain the same as those raised in the Memo of the 15th November 2013 for the planning application LW/13/0620, which I attach.

4.4.1 The conditions that were suggested within that Memo remain valid for this proposal. The reason is to protect the amenity of local residential amenity.

4.4.2 I appreciate that since 2013 a number of other studies have been submitted to address the planning conditions. I would suspect that many of these studies remain predominantly valid but would need to be reviewed in light of:

1. The new proposal layout and potential new noise sources both within the scheme and within the locality
2. New sensitive receptors within the schemes and within the locality; and
3. Introduction of new since 2013 such as BS 4142:2014 which may require a review of any findings and recommendations

**4.5 ESCC Highways** – I do not wish to restrict grant of consent, on the basis that the proposed development will not create a material impact on the highway environment. The main change to the former approval under LW/13/0620 is the amendment to block E from a 40 bed care home facility to a 25 bed extra care facility. As previously approved, this application shall maintain the details relating to the transport and travel mode choices:

- The parking provision will remain the same as previously secured for cars, cycles and mobility scooters, mini-bus facility.
- Off-site highway works - footways, bus stop/improvements

4.5.1 I do not wish to raise highway objection on this basis, and appropriate legal agreements for the travel plan, access improvements and off-site highway works shall be secured as for LW/13/0620.

**4.6 Sussex Police** – No objection.

**4.7 Southern Water Plc** – Southern Water can provide foul sewage disposal to service the development, but require a condition regarding protecting and diverting public sewers.

4.7.1 There is inadequate capacity to provide surface water sewage disposal and could increase flows to the public system. Therefore the developer should be advised to enter into a formal agreement with Southern Water to provide the necessary sewage infrastructure.

4.7.2 No objection subject to condition on the provision of foul and surface water, and informatives.

**4.8 District Services** – If I is a singular unit comprising 65 care apartments then this would constitute a care home and would be a trade refuse collection where the refuse would be collected from a single bin store area and have a trade account.

4.8.1 If it is 65 separate dwelling units then this would need to be designed for the refuse vehicles to access the development to collect refuse from the curtilage of each property. This would need to be taken into account.

**4.9 NHS Mid-Sussex/Horsham** – Horsham & Mid Sussex CCG does not wish to raise any objections to this planning application.

**4.10 Natural England** – No objection - necessary conditions need to be attached to any permission to safeguard flora and fauna.

**4.11 Forestry Commission** – standard advice.

**4.12 The Woodland Trust** – The Woodland Trust would like to highlight the close proximity of the proposed care home to an over-mature oak (Grid ref: TQ385173), designated as a notable specimen on the Ancient Tree Inventory.

4.12.1 The applicants should take precautions to ensure that the Root Protection Area of the oak is not impacted during all constructional phases of the development.

**4.13 ESCC Archaeologist** – The site has been subject to an archaeological evaluation which shows it to be of low archaeological interest, I therefore do not believe that any significant below ground archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

## **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

5.1 14 letters of objection received raising concerns in relation to - development outside the development boundary, inadequate assessment of alternative sites, not for local people, unsustainable location, impact on setting and character of the village, unacceptable development on a green field site, no affordable housing, no identified local need, footprint out of scale with the village, congestion on the highway, light pollution, contrary to Spatial Policy 2, should be a C3 use, it is a housing development and not a care home, lack of facilities for pedestrians or crossing, poor design, basis for the earlier permission no longer exists therefore permission should be refused, increase in building volume, increase highway danger, lack of infrastructure, wrong development in the wrong area,

5.2 Three neutral letters - design more pleasing and less institutional, lighting should be sensitive to this rural location, concern over traffic, should consider putting in a play area for local children, enhance landscaping to protect privacy and retain rural environment,

5.3 One letter of support - need to provide for the ageing population, very good use for the community.

5.4 One letter signed by 25 people asking for the construction of a children's play area.

## **6. PLANNING CONSIDERATIONS**

### **6.1 History**

6.1.1 An outline application for a much larger scheme was submitted in 2008 (LW/08/1038) and was withdrawn in 2009 following a recommendation for refusal which was to be made to the Planning Applications Committee. The application was withdrawn prior to consideration. That application had been for a scheme providing 24 EMI rooms, 61 nursing home rooms and 74 close care flats with associated facilities, landscaping and parking. It would have provided accommodation over five storeys of development, with indicative plans showing buildings of a contemporary design.

6.1.2 In 2010 a further outline application was submitted (LW/10/1010) for a nursing and care complex comprising of 24 EMI (elderly, mentally ill) rooms, 30 nursing rooms, 55 extra care flats, and 6 bed special nursing unit with associated facilities, landscaping and parking. This application was recommended to the Planning Applications Committee for approval by officers in June 2012 but was refused on the grounds that the site was located outside of the defined settlement boundary, would not constitute sustainable development, and would result in a serious detrimental impact on the residential amenities of properties in Gradwell End and The Martletts, through increased noise and disturbance from traffic.

6.1.3 In 2013 an application (LW/13/0620) was submitted for the erection of C2 accommodation comprising 40 nursing and dementia rooms, and 40 extra care units with associated support facilities. There was a restriction on the occupation of the premises through a S106 agreement which restricted occupation to those at least 65 years of age with residents of the extra care units required to be in need of personal care. Occupiers of the nursing unit were required to be in need of care by reason of old age, disablement, medical needs or treatment. This application was recommended for approval by officers but was refused by the Planning Applications Committee. A subsequent appeal, considered at a public inquiry, was upheld and permission granted on the 16 February 2015. The site has since been cleared and made ready for development of that scheme.

### **6.2 Need**

6.2.1 In considering the previous applications the issue of need was comprehensively considered, and the Planning Applications Committee did not reject the applications on the basis of need. The Inspector also considered this issue at length, agreeing that there is a shortfall in elderly care provision in Lewes District and East Sussex and that the proposal would be a purpose built facility designed to cater specifically for the needs of an ageing population by providing a range of care and facilities not currently available in the area, and that a clear and pressing need had been demonstrated.

6.2.2 The applicant has set out the needs case in the document submitted with the current application by Contact Consulting 'Reviewing the case for the proposed development by Retirement Villages at Gradwell Park South Chailey East Sussex' and summarised in the main Planning Statement. Key points are that:

- Those 65 years of age and over make up almost a quarter of the population in the district and is anticipated to rise to 30% by 2039, with those in the oldest cohorts increasing more sharply.
- The population of older people in those rural parishes that surround and include Chailey parish is projected to rise to 52%, creating a challenge in this cluster of parishes in terms of the provision of appropriate accommodation and care that responds to their needs.
- Those having difficulty in carrying out domestic tasks will increase between 2014 and 2039 from 10,297 to 15,439, and those experiencing difficulty with at least one task of personal care are projected to rise between 2014 and 2030 from 8,464 to 12,660. This will lead to increasing demand for specialised care and accommodation to meet these needs and will have a direct impact on demand for care home places.
- The level of home ownership among the elderly in Lewes District is 82.74% for the 65-74 age group and remains at above 80% for the oldest age group.

6.2.3 Therefore the developer has decided to pursue a wholly extra care development in response to the clear un-met need for such accommodation within the locality.

6.2.4 Specialist housing options for older people are complex. However, given the demographic challenges and changes expected, and the high level of owner occupation in East Sussex as a whole, it is important that a wide range of housing with care models are developed across the county. In particular, consideration needs to be given to the development of a range of tenures and affordable models of housing provision which will accommodate the needs of the elderly.

6.2.5 The LDF and ESCC documents all identify a shortfall within the rural part of Lewes District and East Sussex for elderly care provision. There is a deficiency of provision for general care homes for the elderly, Extra Care Units, Nursing Units, EMI/Dementia Units. The population growth, in particular in the elderly population of Lewes District, and the region more generally (especially the over 85's) over the next 20 years is acknowledged. With this growth in the elderly population, it is inevitable that there will be a growth in the number of elderly people with debilitating care needs.

6.2.6 It is therefore necessary to consider whether the local need and future growth of the local elderly population and their care needs are such that this development would be acceptable.

6.2.7 There is clearly a need for additional elderly care provision within the Lewes District, and especially the rural northern half. The NPPF also encourages LPA's to plan positively for future growth and infrastructure challenges. It is considered that the proposal is likely to meet more than current local needs despite being a fundamental part of the needs case.

6.2.8 Whilst it is acknowledged that the scheme will provide a development of extra care units and remove the care home element, the proposed development would be a purpose built facility that is designed specifically for an ageing population and will also provide a range of care and facilities not presently available in the area. It would make a significant contribution in responding to the needs and future aspirations of the elderly owner occupiers, as their levels of need increase with age. It would also provide them with the certainty of being able to stay in their home, an environment which they know, as they age and secure a range of care and services to meet their needs.

### **6.3 Use Class**



6.3.1 A number of representations have been received raising concerns over the classification of the accommodation that is being proposed, and that it should be classed as C3 accommodation and therefore be liable for CIL.

6.3.2 The development will, through a S106 or Unilateral Undertaking, restrict the occupation of the units to those of a minimum age of 65 and in need of personal care. Each unit will be fully accessible for people with disabilities or mobility difficulties, and each property will have full property management and maintenance services. Cleaning and laundry services will be provided along with care visits in accordance with their assessed needs. Prior to purchasing a unit the primary resident will undergo an assessment in order to have a care package tailored to their needs depending on their health. If residents are unwell or frail, meals and care can be provided directly into their accommodation.

6.3.3 Therefore, due to the legal restrictions that will be imposed together with the need for residents to be assessed and purchase a tailored care package, it is considered that the development will fall within Use Class C2. This accords with the Inspectors decision as well as other similar applications for extra care accommodation.

## **6.4 Design and Layout**

6.4.1 The proposed layout has not fundamentally changed since permission was granted on appeal. The development will be arranged in five distinct blocks of building. A service road is routed into the centre of the site with the residential blocks to the north and south of this road, thus containing the main source of activity and movement to the centre of the site and limiting its impact. This arrangement will help to minimise noise and general disturbance, and limit light spillage from the development. The main staff car park is situated in the north west corner of the site, to the south of the existing doctors surgery.

6.4.2 The largest block will be block E, which will accommodate the 25 extra care units as well as the main community and management facilities. This is located to the east of the site and has an attached clubhouse which will provide a range of social facilities for the residents. Blocks A to D will provide the remainder of the extra care units.

6.4.3 The blocks of building are separated by swathes of lawn, soft landscaping, and car parking, and they vary in size to reflect the variety in grain of the wider area from the more modest detached, semi-detached and linked houses to the larger footprint of the school and the former Pouchlands hospital buildings. The proposed layout, scale and block size creates a sense of place that sits comfortably within its surroundings.

6.4.4 The form and architectural treatment of the buildings remain as per the previous approval, reflecting the buildings surrounding the site and the local Sussex vernacular, utilising red tiled roofs, vertical tile hanging, red brick facades with exposed timber detailing. Interest is added through the use of a variety of plan shapes, and variations in the elevational detailing with balconies, variety in roof lines and roof profiles, dormer windows, and the use of balcony access to first floor units. The simple links between the blocks and the variety in the elevational treatment articulates and enhances the buildings without appearing overly fussy. The buildings exhibit many characteristics of the traditional buildings found in rural areas, which together with the cluster of smaller buildings allows the development to sit more comfortably within this countryside and edge of settlement setting, and more importantly avoids the creation of a typical institutional development.

6.4.5 The Inspector considered that the development would sit comfortably within the landscaped surroundings without detriment to the wider countryside or surroundings.

## 6.5 Policy and Need

6.5.1 Local Plan Policy (LLP) CT1 - Planning Boundary and Key Countryside Policy seeks to tightly control development outside of the defined settlement boundaries. CT1 (j) allows for the provision of essential/service facilities to meet community needs for which a rural location is required. The Inspector considered that the proposal did not fully comply with this policy as it would be hard to argue that a rural location is required for a care home of this size. However an assessment of other potential sites across the district and within urban areas would suggest that alternatives are not available for a development of this size. The proposal would be an essential facility, which would meet the specific housing and care needs of a growing section of the community.

6.5.2 A copy of that appeal decision is available to view on line. The Inspector considered that the scale, height and massing would be in keeping with the surrounding built form, and that whilst accepting that there would be some loss of open countryside there would be no harmful change to the character and appearance of the local landscape.

6.5.3 In his conclusion the Inspector considered that the proposal would contribute towards the supply of C2 dwellings for which there is a demonstrable need in the area. He also considered that CT1 (j) permits provision of essential/service facilities to meet the community needs for which a rural location is required. He considered that 'this criterion applies in the instance given the local need that has been identified'.

6.5.4 The Inspector agreed that the development would result in the loss of a green field on the village edge but concluded that 'it would not conflict with saved LP Policies ST1, ST3, T1 and T2. He also 'found that the proposal would be in conformity with the 3 dimensions of sustainable development as set out in the NPPF and would preserve the setting of the listed building'.

6.5.5 Other local plan policies relevant to the determination of the application are set out in the Environmental Principles chapter of the local plan and include ST3 Design Form and Setting, ST4 Backland Development, ST11 and 12 Landscaping, ST13 Noise. It is considered that these policies are broadly complied with.

6.5.6 The LDF Core Policy 2 seeks to deliver sustainable mixed and balanced communities. It will achieve this by (1) providing a range of dwelling types and sizes to meet need, and (2) provide flexible, socially inclusive and adaptable accommodation to meet the changing needs of occupants over time, especially ageing and disabled residents.

6.5.7 Core Policy 10 seeks to ensure that new development will not harm nature conservation interests and will protect landscape assets, whilst Core Policy 11 seeks to secure high quality design to assist in creating sustainable places and communities.

6.5.8 It is considered that in terms of alternative sites that there has been little change since the 2013 assessment. The LDF does not make any specific allocations for this type of development and therefore C2 development needs to compete for sites against C3 uses, which increase land values. An Alternative Site Assessment has been submitted to update the current application but no suitable sites were located within the search area.

6.5.9 The Inspector did address the matter of alternative sites. Whilst third parties did suggest that other sites could be available, the Inspector considered that taking into account growth in need over the coming years, that the supply of care accommodation across the district and in neighbouring Council areas is not expected to keep pace with the

increasing need. Therefore he felt that this part of the District has a pressing need for this type of elderly care accommodation.

6.5.10 Therefore, the change in the mix of the units would not change the adopted policy position agreed by the Inspector previously.

## **6.6 Highways and Travel**

6.6.1 The Highway Authority has considered the application and do not consider that the proposed development will not create a material impact on the highway environment. The main change to the former approval under LW/13/0620 is the amendment to block E from a 40 bed care home facility to a 25 bed extra care facility. As previously approved, this application maintains the details relating to the transport and travel mode choices:

- The parking provision will remain the same as previously secured for cars, cycles and mobility scooters, mini-bus facility.
- Off-site highway works - footways, bus stop/improvements

6.6.2 Therefore they have not raised any objections to the proposal and request that appropriate legal agreements for the travel plan, access improvements and off-site highway works shall be secured as previously agreed for LW/13/0620.

6.6.3 Overall, it is considered that the wider benefits of the scheme to the community outweigh the fact that the development would be in a rural location with limited facilities and transport choices. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are so severe. It is not considered that the cumulative residual highway impacts of the proposed development would be so severe to justify a refusal. It may be considered that the location of the site is such that any development would be unsustainable in terms of travel choices. However this must be carefully weighed against the sustainable economic and social benefits of the scheme. Whilst it is accepted that the site is not an ideal location, especially in terms of accessibility, in view of the measures highlighted it is considered acceptable due to the significant wider benefits to society that the development would bring.

## **6.7 Employment**

6.7.1 The site will accommodate a full time manager, two support/admin, maintenance, gardener, minibus driver(s) as well as support staff for the kitchen/bar/clubhouse. It is estimated that up to 14 FTE will be employed.

6.7.2 A CQC registered domiciliary care service will operate out of the development providing care service to residents as well as providing a care service to the elderly within the local community. This will include personal care and support within the home, assistance with shopping or escorting them to health appointments.

6.7.3 In addition, the domiciliary care agency will create at least six FTE including manager, supervisor and care assistants

## **6.8 Wider Impact on flora/fauna/woodland/protected species**

6.8.1 In terms of impact on these aspects, this was not raised as a matter of refusal and therefore was not discussed at the inquiry. However the Inspector did impose conditions at the request of the Council.

6.8.2 The mitigation measures required as a result of those conditions have now been largely implemented. It is not considered that the changes proposed with this application would result in any additional ecological impact on the site or its surroundings.

### **6.9 Impact on residential amenity**

6.9.1 The Inspector considered the impact that the proposed development would or could have on the living conditions of nearby residential occupiers and their amenity. He was of the opinion that the size of the development together with the topography, intervening distance, and mature boundary planting and landscaping would ensure that living conditions were not harmfully changed in terms of outlook, overlooking, overshadowing, or from noise and disturbance. This would be further safeguarded through attaching suitable conditions in respect of landscaping, boundary treatment, lighting and noise.

6.9.2 It is not considered that changing the mix of the development as proposed would alter that position.

### **6.10 S106 Agreement**

6.10.1 If consent is granted, a decision should not be released until the Unilateral Undertaking or a S106 agreement has been signed. The agreement would need to secure the following:

- 1) At the point of entry all residents in need of care are at least 65 years old and must undergo a standard medical assessment to confirm that they are in need of personal medical care at the point of entry.
- 2) Prior to entry residents will be contracted to purchase a Basic Care Package to provide the initial level of personal care as established by the health assessment, together with additional personal care as required.
- 3) The provision of one mini bus for staff and residents, and the retention of this service in perpetuity, together with a range of on-site services and facilities.
- 4) Preparation of a management plan to secure a mechanism to make those on-site services and facilities available to off-site residents.
- 5) Requirement to enter into a Section 278 agreement with the HA to undertake highway improvements specifically new footpath on southern side of Mill Lane, various dropped kerbs and tactile paving etc.
- 6) Travel Plan and monitoring fee of £6,500

### **6.11 Conclusion**

6.11.1 The current proposal is similar in terms of its built form to that which was considered and approved by the Inspector. The change is in the description of the development, from 40 nursing and dementia rooms and 40 extra care units, to 65 extra care units.

6.11.2 There is likely to be future and continued pressure for further care developments to cater for the growing elderly population in Lewes District (and nationally). Whilst it was accepted that a development of this nature and in this location would clearly impact on the surroundings, The Inspector considered that the impact was not considered to outweigh the benefits that a care scheme of this nature would bring to the wider community. The change to the nature of the units would not alter that impact.

6.11.3 The current proposal has been considered against the previous approval. After careful appraisal, Officers' have concluded that this scheme would not have any greater impact than the previous approved scheme. The design was considered to minimise the impact on the countryside and neighbours amenity, allowing better integration with the form and grain of the surroundings. The more spacious layout creates a transition to the countryside beyond, helped by a comprehensive landscaping strategy for the site.

6.11.4 Whilst Local Plan Policy would indicate that a site outside the planning boundary would not generally be suitable for this proposal, there is a deficiency in the Local Plan as no sites are identified specifically for elderly care provision. Assessment against the policies contained in the Local Plan, NPPF, together with the other material considerations, would suggest in this instance that the scheme is acceptable, a view which was accepted by the Inspector previously.

6.11.5 It is therefore considered that the current proposal is acceptable.

## **7. RECOMMENDATION**

7.1 That planning permission is approved subject to the prior completion of a S106 agreement covering all the matters referred to above, and subject to the conditions listed below.

### **The application is subject to the following conditions:**

1. The layout of access and circulation routes, parking and footprint of the main building shall be laid out in accordance with Drawing No 02-285-102-2 Rev D, dated May 2017, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development and having regard to Policy ST3 of the Lewes District Local Plan and guidance contained within the National Planning Policy Framework.

2. Before the development hereby approved is commenced on site, details and samples of all external materials and surfacing materials (which should be impermeable) shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

3. Prior to commencement of development on site, full details of finished floor levels and ridge heights in relation to the existing and surrounding ground levels, set against an Ordnance Datum Point, have been submitted to and approved by the Local Planning Authority and thereafter carried out in accordance with these details.

Reason: In the interest of residential amenity and the character of the locality having regard to Policy ST3 of the Lewes District Local Plan and guidance contained within the National Planning Policy Framework.

4. Before the development hereby approved is commenced on site, details of all new joinery (windows, doors, balconies, rooflights) at a scale of at least 1:5 shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: Having regard to the character and appearance of the countryside, the proposed design and in accordance and having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

5. Prior to commencement of development on site, full details of waste, refuse and recycling storage facilities, shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out in accordance with that consent.

Reason: To ensure that all facilities required for the development are available on site, in accordance with Policy ST3 of the Lewes District Local Plan and guidance contained within the National Planning Policy Framework.

6. Prior to commencement of development on site, full details of the boundary treatment at the site, which shall include post and rail fencing along the southern boundary, shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out in accordance with that consent.

Reason: Having regards to the character and appearance of the countryside and neighbouring amenities and in accordance with Policies ST3, ST11 & CT1 of the Lewes District Local Plan and guidance contained within the National Planning Policy Framework

7. Development shall not begin until details of foul and surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The approved drainage works shall be implemented prior to the \*\*\*\* of the development.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

8. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the commencement of use of the approved development.

A No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

B If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

C The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason: In the interests of the long-term health of trees identified for retention having regard to Policy ST3 of the Lewes District Local Plan and in accordance with Part 11 of the National Planning Policy Framework.

9. No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and should provide details of induction and personnel awareness of arboricultural matters.

Reason: In the interests of the long-term health of trees identified for retention having regard to Policy ST3 of the Lewes District Local Plan and in accordance with Part 11 of the National Planning Policy Framework

10. A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, including the woodland unit subject to Tree Preservation Order (No.7) 2008 shall be submitted to and approved in writing by the Local Planning Authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To enhance the appearance of the site and to protect the privacy of existing and proposed dwellings or property and having regard to policies ST3 & ST11 and Part 11 of the National Planning Policy Framework.

11. Prior to commencement of development on site, full drainage details and routing of all underground services (foul and surface water drainage, electricity, gas cable TV etc) in relation to protected tree routes, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter undertaken in accordance with that consent.

Reason: In the interests of the long-term health of trees identified for retention and having regard to Policy ST3 of the Lewes District Local Plan and guidance contained within the National Planning Policy Framework.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in the first available planting season following occupation of the development. If within a period of 5 years from the date of the planting any tree, or any tree planted in replacement for it, is removed, uprooted destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enhance the appearance of the site and to protect the privacy of existing and proposed dwellings or property and having regard to Policies ST3 & ST11 and Part 11 of the National Planning Policy Framework.

13. No ground works or construction works shall take place until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the ground works and construction period including

- o all traffic,
- o a workers travel plan,
- o temporary site security fencing, securing of and details of the security and acoustic fencing to the boundary with neighbouring properties,
- o artificial illumination,
- o safe storage and safe removal of any contaminating materials,
- o noise, vibration, dust, air pollution and odour

and shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Local Planning Authority. It shall also include details of all signage on the approaches to the site, their wording and location, advising of the restricted delivery times, traffic routing to and from the site, holding areas for vehicles, and the use of banksman to control removals and traffic movements to and from the site. Movements to and from the site must avoid the school rush hour times of 08:30 - 09:00 and 14:45 - 15:45 daily, and for the perpetuity of the development.

Reason: Having regard to the location of the development site with regards to the nearby school and residential areas, the local highway network and in accordance with Policy ST3 of the Lewes District Local Plan and guidance contained within the National Planning Policy Framework.

14. Before the development hereby permitted commences a written scheme shall be submitted for written approval by the Local Planning Authority which specifies a detailed lighting design based upon the recommendations outlined in the Lighting Design strategy and visual impact assessment (Enplan dated October 2013).

The Lighting proposal will only be permitted if the applicant can demonstrate\* to the Local Planning Authority that the scheme proposed is the minimum needed for security and/or working purposes and that it minimises the potential for obtrusive light from glare or light trespass to an acceptable level.

\* The most appropriate method to demonstrate compliance would be a technical report prepared by a qualified Lighting Engineer or the lighting company setting out the type of lights, performance, height and spacing of lighting columns. The light levels to be achieved over the intended area, at the site boundaries and, for large schemes, 50m outside of the boundary of the site should be superimposed on a map of the site and its surrounding area.

Reason: To protect the amenity of nearby residents in accordance with Policy ST3 of the Lewes District Local Plan and Paragraph 17 of the National Planning Policy Framework.

15. Prior to the commencement of any works which may affect great crested newts (their breeding sites or resting places) and any other reptiles or their habitats, a detailed mitigation strategy shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: To protect habitat and biodiversity at the site in accordance with Part 11 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

16. Prior to the commencement of development, details of the layout and location of the receptor site, the proposed pond, receptor site pond and associated wetland habitat enhancement, together with details of the sites future management and maintenance shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out and maintained in accordance with any such approval.

Reason: Having regard to habitat and biodiversity at the site in accordance with Part 11 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.



17. Prior to the commencement on site full details of a bat mitigation strategy, including provision of 'bat bricks' and 'bat tubes' shall be submitted to and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: To protect habitat and biodiversity at the site in accordance with Part 11 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

18. Prior to the commencement of development, a detailed method statement for the removal or long-term management/eradication of Japanese Knotweed (*Fallopia japonica*) on the site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason: To prevent avoidable harm to the environment and in accordance with Part 11 of the National Planning Policy Framework.

19. A Surface Water Management Plan showing detailed surface water site management plans and catchment impact assessment on the existing surface water drainage network should be submitted for written approval by the Local Planning Authority before construction commences on site.

Reason: To reduce the risk of flooding by ensuring a satisfactory drainage system having regard to Part 10 of the National Planning Policy Framework.

20. The new access shall be in the position shown on the submitted plan and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regards to Policy ST3 of the Lewes District Local Plan

21. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road/s, surface water drainage, outfall disposal and any street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regards to Policy ST3 of the Lewes District Local Plan.

22. During any form of [earthworks and/or excavations] that are carried out as part of the development, suitable vehicle wheel washing equipment to remove surplus mud/soil should be provided within the site, to the approval of the Local Planning Authority, to prevent contamination and damage to the adjacent roads. The equipment shall be used on all vehicles leaving the site for the perpetuity of the development phase.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and having regard to Policy ST3 of the Lewes District Local Plan and section 4 of the National Planning Policy Framework

23. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with details which shall be submitted to and approved by the Local Planning Authority and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regards to Policy ST3 of the Lewes District Local Plan.

24. The development shall not be occupied until parking areas have been provided in accordance with details to be submitted to and approved by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regards to Policy ST3 of the Lewes District Local Plan.

25. The development shall not be occupied until cycle parking and mobility scooter parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles and mobility scooters.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development, having regards to Policy ST3 of the Lewes District Local Plan.

26. The following activities must not be carried out under any circumstances:

A No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.

B No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.

C No mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA

D No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: In the interests of the long-term health of trees identified for retention having regard to Policy ST3 of the Lewes District Local Plan and in accordance with Part 11 of the National Planning Policy Framework.

27. Staff shift patterns at the site shall be limited to the following times, 08:00 - 14:00 hours, 14:00 - 20:00 hours, 20:00 - 08:00 hours only, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the shift patterns avoid peak traffic times on the local road network at the nearby school and having regard to guidance contained within the National Planning Policy Framework.

28. Deliveries to or from the premises shall be restricted to 09:00 - 17:00 hours on Monday to Friday, from 10:00 - 17:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of nearby residents in accordance with Policy ST3 of the Lewes District Local Plan and Paragraph 17 of the National Planning Policy Framework.

29. The development hereby approved shall be restricted solely to Class C2 of the Town & Country Planning (Use Classes) (Amended) Order 1987.

Reason: To ensure that the site remains a care facility, having regards to the submitted needs statement and guidance contained within the National Planning Policy Framework.

30. Prior to commencement of development on site details of the measures to be taken to divert the existing drainage/sewage apparatus that crosses the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with and approval of Southern Water.

Reason: In the interests of protecting and maintaining public infrastructure having regard to Policy ST1 of the Lewes District Local Plan.

31. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 1) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Paragraph 110 of the National Planning Policy Framework.

32. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the

approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Paragraph 110 of the National Planning Policy Framework

33. Before the development hereby permitted commences a written scheme shall be submitted for written approval by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from plant and ancillary equipment. Before occupation of the proposed buildings the agreed scheme shall be fully implemented.

A written scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment by EAS Ltd's Noise Impact Assessment (September 2013 - ref: Enplan/3A/Gradwell/Noise) shall be submitted to the Local Planning Authority.

(1) The scheme shall demonstrate by calculation how the proposal will meet a 3dB lower than existing background noise level standard expressed as LA90 1hr standard at the nearest residential boundary;

(2) There shall be no tonal noise emitted from the site as defined in BS4142:1997;

(3) The scheme shall identify post-installation monitoring points within the curtilage of the proposed site that are in close proximity to the noise sources which will be used to verify that the scheme meets the predictions on completion;

(4) The scheme shall be submitted for written approval by the Local Planning Authority and shall be fully implemented before the use commences; and

(5) The scheme shall then be tested to confirm that it meets the predictions on completion using the agreed post-installation monitoring points, and a written report submitted to the Local Planning Authority for its written approval.

Reason: Having regard to the amenities of local residents and the surrounding area, in accordance with Policy ST3 of the Lewes District Local Plan and Paragraph 17 of the National Planning Policy Framework.

34. Prior to the installation of the ventilation system for the disposal and treatment of cooking odours from the premises, the applicant should submit a design specification outlining the proposed extraction/ventilation system to the Local Planning Authority;

a) Prior to the commencement of the use, the applicant should, following the testing of the installation, submit certification from a member of the Heating and Ventilating Contractor's Association, or other suitably qualified person, to the Local Planning Authority, confirming that the installation meets its design specification agreed;

b) A maintenance and management scheme for the ventilation and filtration systems shall be submitted to, and shall be approved in writing, by the Local Planning Authority prior to the commencement of the use and shall thereafter be implemented as approved; and

c) Mechanical and electrical installations shall be suitably arranged to ensure that the ventilation system is in operation during periods when the premises are preparing and/or cooking of food, all to the written satisfaction of the Local Planning Authority.

Reason: Having regard to the amenities of local residents and the surrounding area, in accordance with Policy ST3 of the Lewes District Local Plan and Paragraph 17 of the National Planning Policy Framework.

35. Prior to the installation of the ventilation and filtration systems at the site, a maintenance and management scheme shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the use and shall thereafter be implemented as approved.

Reason: Having regard to the amenities of local residents and the surrounding area, in accordance with Policy ST3 of the Lewes District Local Plan and Paragraph 17 of the National Planning Policy Framework.

36. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Paragraph 110 of the National Planning Policy Framework.

37. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 120 and 121].

## **INFORMATIVE(S)**

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Separate approval of Drainage Details will be required from both Lewes District Council's Development Control (Planning) and Building Control (Building Regulations).

3. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards.

4. The applicant should be made aware that the creation/alteration of this access will require the compliance with the Traffic Management Act 2004 and that the contractor will have to book road space with the County Council's Network Coordination team (0345 60 80 193).

5. In order to safeguard the parking for Gradwell End residents and make it easier for construction vehicles it would be beneficial to provide 5 temporary parking spaces just inside the site whilst construction takes place

6. The provision of a new low emission\* community bus for use by local community and new residents to help reduce the impact and make a positive contribution to the local air quality. \*Low emission technology is evolving all the time, Cenex, a public/private centre of low carbon and fuel cell technologies are always looking for new projects <http://www.cenex.co.uk>

A residents low emission car club\* that potentially could be rolled out to include the local community. \*Organisations such as Commonwheels can help facilitate such schemes.

7. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne Hampshire SO21 2SW (tel: 0330 303 0119 or [www.southernwater.co.uk](http://www.southernwater.co.uk) .

8. A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne Hampshire SO21 2SW (tel: 0330 303 0119 or [www.southernwater.co.uk](http://www.southernwater.co.uk) .

**This decision is based on the following submitted plans/documents:**

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Justification / Heritage Statement	9 August 2017	
Planning Statement/Brief	9 August 2017	
Noise Detail	9 August 2017	
Transport Assessment	9 August 2017	
Design & Access Statement	9 August 2017	
Biodiversity Checklist	9 August 2017	
Location Plan	9 August 2017	02-285-10 D
Proposed Layout Plan	9 August 2017	02-285-120-2 D
Proposed Floor Plan(s)	9 October 2017	15895-PA-A-010A
Proposed Roof Plan	9 October 2017	15895-PA-A-010A
Proposed Elevation(s)	9 August 2017	15895-PA-A-012 A

Proposed Floor Plan(s)	9 October 2017	15895-PA-B-013A
Proposed Roof Plan	9 October 2017	15895-PA-B-013A
Proposed Elevation(s)	9 August 2017	15895-PA-B-015 A
Proposed Floor Plan(s)	9 October 2017	15895-PA-C-016A
Proposed Roof Plan	9 October 2017	15895-PA-C-016A
Proposed Elevation(s)	9 August 2017	15895-PA-C-018 A
Proposed Elevation(s)	9 August 2017	15895-PA-D-019
Proposed Floor Plan(s)	9 August 2017	15895-PA-D-019
Proposed Roof Plan	9 August 2017	15895-PA-D-019
Proposed Floor Plan(s)	9 August 2017	15895-PA-E-020
Proposed Floor Plan(s)	9 August 2017	15895-PA-E-021
Proposed Roof Plan	9 August 2017	15895-PA-E-021
Proposed Roof Plan	9 August 2017	15895-PA-E-022
Proposed Elevation(s)	9 August 2017	15895-PA-E-023
Proposed Elevation(s)	9 August 2017	15895-PA-E-024
Proposed Floor Plan(s)	9 August 2017	15895-PA-E-026
Proposed Roof Plan	9 August 2017	15895-PA-E-026
Existing Block Plan	9 August 2017	15895/PA003
Technical Report	9 August 2017	ALTERNATIVE SITES ASSESSMENT
Tree Statement/Survey	9 August 2017	ARBORICULTURAL IMPLICATIONS STMT
Planning Statement/Brief	9 August 2017	CONTACT CONSULTING
Technical Report	9 August 2017	ENERGY STATEMENT
Technical Report	9 August 2017	GEOTECHNICAL ASSESSMENT
Technical Report	9 August 2017	IMPACT ON ECOLOGY
Technical Report	9 August 2017	KNOTWEED SURVEY