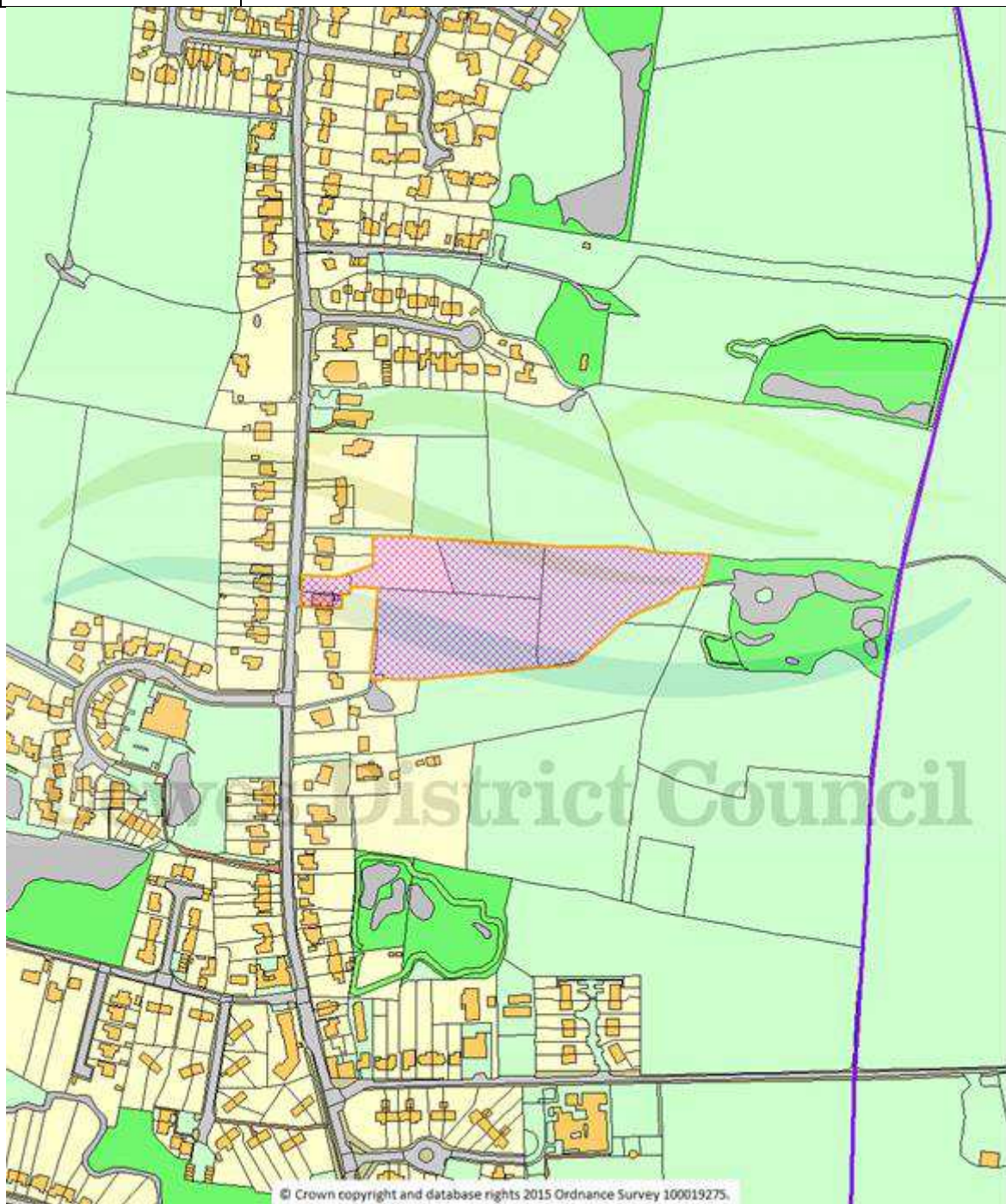


<b>APPLICATION NUMBER:</b>	LW/17/0873	<b>ITEM NUMBER:</b>	<b>6</b>
<b>APPLICANTS NAME(S):</b>	Cala Homes (South Home Counties) Ltd	<b>PARISH / WARD:</b>	Plumpton / Plumpton Street E.Chiltington St John W
<b>PROPOSAL:</b>	Planning Application for hybrid planning application comprising a detailed application for the erection of 19 dwellings, access, landscaping, open space and associated works and an outline application for 1 self-build dwelling with all matters reserved except access and scale (20 dwellings total)		
<b>SITE ADDRESS:</b>	Land Adjoining Oakfield House Station Road Plumpton Green East Sussex		
<b>GRID REF:</b>	TQ 44 12		



## **SITE DESCRIPTION / PROPOSAL**

1.1 The proposed development site is located on the eastern side of Station Road. It is roughly rectangular in shape and covers an area of approximately 1.63 hectares and is made up of a commercial garage, residential garden and grazing land. The main part of the site is situated outside of the defined settlement boundary, with only the new access being located within the boundary.

1.2 To the west the site abuts the rear gardens of established residential properties as well as an existing car repair garage. To all other boundaries the site abuts agricultural/grazing land. At the extreme eastern end the site abuts a pond which is fed by a watercourse which runs along the southern boundary of the site. The site boundaries consist of stock fencing or hedgerows interspersed with mature trees. The site is flat with a slight slope from west to east.

1.3 Planning permission is being sought to construct 19 dwellings on the site together with outline permission for a single dwelling at the eastern end of the site. The development would provide 40% affordable housing (6 x 2 and 2 x 3 bed) whilst the remainder of the houses would provide 2 x 2, 2 x 3, 7 x 4 and 1 x 5 bed dwellings.

### **1. RELEVANT POLICIES**

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

**LDLP: – CP1 – Affordable Housing**

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

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

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

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

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

**Plumpton Neighbourhood Plan: – 6.9 – Land to rear of Oakfield**

### **2. PLANNING HISTORY**

None

### **3. REPRESENTATIONS FROM STANDARD CONSULTEES**

#### **3.1 Planning Policy Comments – Summary**

3.2 The proposal is located outside of the existing planning boundary and involves the development of predominantly greenfield land. This being the case, it is contrary to Policy CT1 of the Lewes District Local Plan (2003), which is a 'saved policy' and part of the development plan.

3.3 The Council is able to demonstrate a five year supply of deliverable housing and as such there is no requirement to release additional housing sites outside of the adopted planning boundaries.

3.4 The Plumpton Neighbourhood Plan is at examination stage and has been consulted upon under Regulations 14 and 16. Although the emerging Plumpton Neighbourhood Plan cannot be given the full weight of an adopted document, at this point it should be given some weight in the decision making stage of this planning application. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that when determining applications, regard must be had to post-examination draft Neighbourhood Plan, so far as it is material to the application. In this case, the examination has not completed, however the Neighbourhood Plan is material to the application and this should be considered by officers at decision-making stage. The proposal generally conforms with the policies of the emerging Plumpton Neighbourhood Plan and is generally considered to satisfy the requirements of Policy 6.4 of that Plan. Further to this, following consultation under Regulation 16, there was no opposition to the site being included within the Plumpton Neighbourhood Plan, nor was it suggested the site should not be developed for housing.

3.5 In addition, there is considered to be a neutral impact resulting from the loss of the garage use in order to facilitate the development.

3.6 Overall, it is considered that the proposal is contrary to adopted policy (Policy CT1 of the LDLP 2003), notwithstanding this, consideration should be given to the proposal in terms of its general conformity with the emerging Plumpton Neighbourhood Plan which has allocated the site under Policy 6.4. The proposal is therefore considered to comply with Spatial Policy 2 (JCS 2016), insofar as it complies with part (2) of this policy through the site allocation in the emerging Plumpton Neighbourhood Plan.

*(Full comments can be found on the web site).*

**3.7 Plumpton Parish Council – Decision:** It was RESOLVED and AGREED unanimously to support this application.

3.8 Notes: This proposal is included in the Plumpton Parish Neighbourhood Plan, which is currently with LDC, prior to going before the independent examiner, and so not yet fully made. It has therefore been assessed and approved by the Parish Council as suitable, available and able to deliver 20 houses towards the total required of the parish in the LDC Core Strategy. It was noted that objections have been lodged on the LDC planning portal, relating primarily to drainage, loss of privacy to neighbouring houses, unsafe pedestrian access onto Station Road, out of keeping with the rural character and historic development of village, absence of affordable housing, and potential flood risk. Members of the public at the meeting raised these objections, which the Planning Committee noted. However, the Planning Committee did not agree they constituted reasons not to support the application.

3.9 Postscript: The Committee supported residents' concerns about loss of privacy, and understand that, following the meeting, Cala Homes has been in further discussion with affected residents and has come to a satisfactory agreement on mitigation measures.

**3.10 British Telecom –** No comment.

**3.11 Environmental Health –** Recommends standard conditions.

**3.12 Environment Agency – No objection**

**3.13 East Sussex Fire And Rescue Services –** In relation to the above planning application, can it please be considered that if this application is approved the applicant will need to ensure that there is sufficient water for Fire Fighting. This is usually achieved with the provision of Fire Hydrant(s) attached to a suitable sized water main. Early consultation with the Fire Service is strongly recommended.

**3.14 Housing Needs And Strategy Division – No objection**

3.15 The Public Access - Public Application Form states the development will consist of 20 dwellings. 8 of those dwellings are scheduled to be affordable.

3.16 Core Policy 1 of the Lewes District Local Plan Part 1 - Joint Core Strategy (2016) states that 'A district wide target of 40% affordable housing, including affordable rented and intermediate housing, will be sought for developments of 11 or more dwelling units. For developments in designated rural areas affordable housing, or financial contributions towards, will be sought on developments of 6 or more'.

3.17 40 per cent of 20 dwellings equates to 8 affordable dwellings ( $0.4 \times 20 = 8$ ).

3.18 The Council is happy with the number of affordable dwellings and the proposed mix.

**3.19 Tree & Landscape Officer Comments – No objection with standard conditions.**

**3.20 Natural England – No objection**

**3.21 Sussex Police – No objection to the layout.**

**3.22 Southern Water Plc –** The results of an initial desk top study indicates that Southern Water currently cannot accommodate the needs of this application without the development providing additional local infrastructure. The proposed development would increase flows into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the National Planning Policy Framework.

3.22 Alternatively, the developer can discharge foul flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the foul system.

3.23 You will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed foul flow will be no greater than the existing contributing flows.

**3.24 FURTHER COMMENTS DATED 20.2.18**

3.25 Southern Water have carried out a capacity check and have confirmed that there is currently inadequate capacity within the foul sewerage network to accommodate foul flow for the development, which would increase flows to the public sewerage system and existing properties and land may be subject to a

greater risk of flooding as a result. Therefore additional off-site sewers or improvements to existing sewers will be required to provide that capacity.

3.26 This site would however fall within the new charging regime which comes into force on the 1 April 2018 and which would provide the necessary infrastructure to service the proposed development site within the existing sewerage system adjacent to the site. These cost will be recovered from the developer through the new Infrastructure Charge.

**3.27 ESCC SUDS – No objection subject to conditions.**

**3.28 ESCC Archaeologist – No objection subject to condition -**

**3.29 ESCC Highways – No objection subject to conditions.**

3.30 This HT401 is issued in response to the original application, including Transport Statement; additional information including Revised Road Safety Audit and amended plan PO1H received from the agent on 9th March 2018.

3.31 These revised documents follow extensive discussions between all parties. I am satisfied that the impact of this development [20 dwellings total] can be accommodated on the highway network provided the mitigation measures are carried out. I therefore recommend that the application be approved subject to highway conditions and a section 106/278 agreement to secure the highway works.

*(Full comments can be found on the web site).*

**3.32 Wealden District Council – objection.**

3.33 The monitoring survey at Ashdown Forest SAC2 has shown that the critical level for annual mean NH<sub>3</sub> (ammonia) concentrations is being exceeded close to certain roads within the Ashdown Forest SAC, but these are also achieved albeit to a lesser extent at other locations away from roads. The spatial patterns in the measured concentrations suggest that emissions from road traffic are driving these exceedances.

3.34 The modelling undertaken on behalf of WDC regarding Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC concluded that the annual mean critical levels for NH<sub>3</sub> are being exceeded close to certain roads.

3.35 That HRA addendum is the subject of outstanding and unresolved objections. Indeed the consultation is still running until 25 January 2018. It will be some time before those objections are resolved at EiP.

3.36 In the subject planning application, it would wholly unsound to rely upon that HRA unless/until your Council has received comments from the PINS in regard to the soundness.

3.37 At this stage, it is unproven that in combination impacts on the Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC will not arise from the Part 2 Local Plan, let alone having regard to the subject planning application

3.38 It is not possible to grant planning permission and WDC formally objects to this planning application.

*(Full comments can be found on the web site).*

#### 4. REPRESENTATIONS FROM LOCAL RESIDENTS

- 4.1 17 objections received - Poor infrastructure to support the development, inadequate drainage, inadequate parking, loss of trees and natural habitat, not supported by village council, development not acceptable in principle, not the type of development that the village needs, loss of green field and prime agricultural land, will result in flooding to neighbouring properties, surrounding roads cannot cope, would ruin the linear form of the village, overlooking, loss of a local business, detrimental impact on wildlife, increased flood risk, impact on privacy, impact on wildlife corridor, outside planning boundary, car parking along Station Road, increased noise and pollution, pollution from existing site, poor access.
- 4.2 One letter of support - scheme is well considered and sustainable, ideal location.
- 4.3 No further responses to the amended plans consultation.

#### 5. PLANNING CONSIDERATIONS

##### Policy

- 5.1 Key policies within the adopted Lewes Local Plan 2003 include Policies ST3, ST11, and CT1 which defines settlement boundaries and where development should be located. The site is located outside of the defined settlement boundary and therefore is contrary to adopted policy CT1. However, consideration should be given to the proposal in terms of its general conformity with the emerging Plumpton Neighbourhood Plan which has allocated the site under Policy 6.4 for residential development. The proposal is therefore considered to comply with Spatial Policy 2 (JCS 2016), insofar as it complies with part (2) of this policy through the site allocation in the emerging Plumpton Neighbourhood Plan.
- 5.2 The Plumpton Neighbourhood Plan was successful at Referendum on 8th March 2018 and won a majority vote in favour of its adoption. It is recommended that the Neighbourhood Plan is 'made' at the Council Meeting on 2nd May, but will first be discussed at Cabinet on 19th March. As part of the Neighbourhood Area is within the South Downs National Park, the NP is due to be 'made' by that Authority on 12th April at its Planning Committee meeting. The Plumpton NP is considered at this stage to have some weight as a material consideration when a relevant planning decision is to be made as it was successful at Examination in January 2018. (As a point to note, the Local Authority has a duty to 'make' Neighbourhood Plans within eight weeks of a successful Referendum, as long as they do not contravene EU obligations).
- 5.3 That plan included Policy 6.4: Land rear of Oakfield, Plumpton Green which set out the following:  
The land, as shown on Policy Map D amounting to 1.5ha, is allocated for residential development for up to 20 new homes. In addition to conforming to the policies contained in the PPNP, the adopted development plan and all other applicable statutory requirements, development in this location will:
1. Be designed to include landscape buffers between it and the site allocated for residential development in Policy 6.3, to emphasise the separation of the sites;
  2. Be designed to avoid proximity of houses to existing properties along Station Road. In view of the multiple records of protected and notable species in the area, an Ecological Impact Assessment should be carried out and, where indicated, steps taken to avoid and compensate for impacts on biodiversity and strengthen connectivity between existing habitats.

5.4 As this site is adjacent to site 6.3, a detailed design brief should be prepared to cover the relationship between the sites, and their design, landscaping and layout. To help protect the valued historic character of All Saints Church, Rectory and gardens and Strollings, this site will provide shared vehicular access from Station Road through to site 6.3. Communal green spaces within the site should be managed by residents through a shared ownership scheme. The southern edge of the site should be reinforced with native tree planting to minimise visibility from the SDNP.

5.5 In view of the current status of the plan and its progression towards adoption, it is considered that significant weight can now be given to the PPNP, sufficient to override restrictive Policy CT1 within the LDLP.

#### Impact on Ashdown Forest / Lewes Downs/ Pevensey Levels SAC

5.6 Wealden District Council has raised an objection to the application. They have stated that 'at this stage, it is unproven that in combination impacts on the Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC will not arise from the Part 2 Local Plan, let alone having regard to the subject planning application. It is not possible to grant planning permission and WDC formally objects to this planning application'.

5.7 Lewes District Council, as the competent authority, considers that this development proposal will not give rise to significant adverse effects on the Ashdown Forest SAC, Lewes Downs SAC or Pevensey Levels SAC either alone or in combination with other plans and projects. The Council's published Habitat Regulations Assessment (HRA), which provides a robust in combination assessment of air quality impacts of the Local Plan on the Ashdown Forest SAC and Lewes Downs SAC formally concludes no likely significant effects on these habitats - a conclusion that has been reviewed and endorsed by the statutory consultee Natural England.

5.8 As such this proposal is considered within the scope of the spatial strategy of the adopted Local Plan Part 1 (which defines the settlement distribution of development and an allowance for windfall) and can be screened out from requiring a site-specific Appropriate Assessment and rely on the HRA undertaken by the Council.

5.9 With regard to the Pevensey Levels SAC the Council is content that Natural England does not currently see atmospheric pollutants as a risk to the integrity of the site and therefore the formal screening of the Pevensey Levels within the HRA process is upheld.

#### Impact on Ecology of the site

5.10 In 2014 a phase 1 Habitat survey was undertaken which included targeted surveys for bats, great crested newts, dormouse, badger and reptiles. The survey found that there was a good population of slow worms and a low population of grass snake and common lizard are using the site. The majority of reptile habitat is being retained within the development proposals. However, in order to prevent the accidental killing or injury of animals during construction, mitigation measures should be put in place. It was concluded that the proposed development would not have a negative impact on reptiles at a local level.

5.11 Badgers from an adjacent sett are using the site on an occasional basis for foraging. However, there are extensive foraging opportunities within the immediate area, so the loss of the site to development will not have a negative impact on the local badger population. The sett is located at least 20m from the development area, and as such it is

considered that constriction works will not constitute 'disturbance' of a sett as defined by Natural England.

5.12 Levels of bat activity varied across the survey site; the highest levels of activity recorded were bats foraging over the large pond to the east of the development site. There were also high activity levels focused around the northern boundary hedgerow and the two mature oak trees in the north-west of the site. The centre of the site and the southern boundary had very low bat activity. It is concluded that the proposed development will not have a negative impact on bats at a local level, and recommendations (detailed in Section 7) will enhance the site for bats.

5.13 Birds are using the hedgerows on and around the site for nesting.

5.14 Further surveys were carried out in 2017 which showed that the ecological baseline for the habitats had remained the same. A full report can be viewed online but in summary it is clear from the updated surveys in 2017 that the ecological baseline of habitats and protected species remains largely unchanged since the 2014 assessment and is therefore concluded that the assessment and recommendations made in 2014 remain valid and should be implemented in full with no further surveys or additional mitigation or compensation measures required.

5.15 It is therefore not considered that the proposed development would have a wider adverse impact on the ecological value of the site. Mitigation measures and new planting will help to maintain the sites ecology and opportunities for wildlife.

#### Design and layout

5.16 This 1.63 hectare site will accommodate 20 dwellings. This will give a density of approximately twelve units per hectare. The proposed number of units complies with the PPNP and the density of development fits in with the spaciousness of the surrounding area and is of a level that would be expected on the edge of a rural settlement, forming a transition to the open countryside beyond.

5.17 The development would be accessed via a single road which takes its access off Station Road where the existing garage is located. Pedestrian access will be provided via a footpath along the southern side of the road. The road then runs due east into the site. The majority of the dwellings are located to the south of the access road, and consist of a mix of detached, semi-detached, and two small terraces of three dwellings at the western end of the site.

5.18 Parking will be provided in the form of garages and off street parking within driveways. A small parking court will be provided for the two terraces of dwellings, with additional parking for visitors on street. The site will accommodate 46 spaces in accordance with the ESCC adopted standards.

5.19 A large parcel of land to the rear (east) of Oakfield and to the north of the access road will be laid out as public open space for the residents with the significant oak trees to the east of the area retained. All the dwellings have at least 10m long gardens, many in excess of this length.

5.20 The site will be landscaped with a native hedgerow and landscape buffer planted to the west and southern boundaries, with enhancements provided to the northern boundary. Significant new and appropriate trees will be planted across the site, along the new road as well as along the boundaries, which will serve to enhance both the



appearance of the site and its ecological value. A detailed landscaping scheme has been submitted with the application.

5.21 The dwellings themselves will be traditional 2 storey dwellings with pitch roofs. They will be constructed with brick facades, with tiles hanging and clay tiled roofs, and incorporate a mix a gable, eaves gables, window surround detailing, simple canopy porches. Windows and doors will be timber. An indicative materials schedule has been submitted but it is considered that these should be improved and therefore it is proposed to require samples of materials to be submitted before development commences on the dwellings themselves to ensure that the development fits in with the surroundings.

5.22 Overall it is considered that the design and layout are considered acceptable for this edge of settlement location.

### Amenity

5.23 The scheme itself is well laid out, with good separation between the dwellings and with thoughtful orientation, such that the scheme does not result in any issues for the future occupiers of the dwellings.

5.24 The most significant impact of the development will be the change of outlook for the dwellings that surround the site, especially from those properties which face onto Station Road and whose rear gardens face east and overlook the site. These dwellings (Willows, Dell House, Braemar and The Cherries) have rear gardens ranging between 18 and 27m to the rear boundary. Beyond this a landscaped buffer will be planted with native hedges and trees and ranging from 7m in width in the north to 10m in the south (increased from 5.5m on the original scheme). The proposed layout of the site has been altered so that the dwellings closest to these rear gardens have been re-orientated and now face north south as opposed to east west, which would have allowed the rear elevations to face onto the rear gardens. With the re-orientation of the dwellings the existing properties now only see the gable ends of the two terraces. This gives a separation distance of 33 to 37m to the gable ends of the new dwellings. The amended layout allows continued views west across the site between the two terraces as well as creating a more spacious development. An enhanced landscaped western boundary will fragment views of the new dwellings and help to maintain privacy and the countryside character of the area.

5.25 The new access road is located close to the northern boundary of The Cherries, and will be aligned over the location of the existing car repair garage, with the access onto Station Road adjacent to its northern boundary. The road is aligned so that vehicle head lights should not shine directly into the rear windows of the dwellings. Whilst the access is located adjacent to the northern flank of the dwelling and the northern boundary of the garden, it is not considered that vehicle movements associated with the new development would be so detrimental to amenity (from noise or general disturbance) that permission should be refused.

### Access

5.26 ESCC Highways have been actively involved in ensuring that the proposed application is acceptable. The original application, which included a Transport Statement together with additional information and a Revised Road Safety Audit, resulted in an amended plan PO1H which was received on 9th March 2018.

5.27 The revised plans were the result of extensive discussions between all parties. The Highway Authority are satisfied that the impact of this development [20 dwellings total] can be accommodated on the highway network provided the mitigation measures are

carried out and therefore recommend that the application be approved subject to highway conditions and a section 106/278 agreement to secure the necessary highway works.

5.28 A stage 1 Road Safety Audit has been satisfactorily carried out/signed off by the Auditor. There are no significant highway safety issues as a result of the additional traffic on the highway network. However the Highway Authority have requested that the following improvements are secured via a Section 106 agreement (including provisions for a S278 Highway agreement to cover the physical works detailed below) would be required to include provision of:-

1. New short sections of footway within the bellmouth of the access and extending around into Station Road and extending further to the south as illustratively shown on drawing No. PO1H.

2. Two uncontrolled crossing points in the form of dropped kerbs and/or tactile paving on Station Road side of the access point

3. A permissive path through the site up to the northern boundary of the site by plot 20 to ensure future access through to the adjacent site to the north should this development not be formerly adopted through the section 38 agreement procedure.

- 4 In lieu of traffic lights, which Plumpton does not have, a Traffic Regulation Order and appropriate signing with repeaters will be required and therefore a £6000 contribution is sought for the administrative costs of the Traffic Regulation Order

#### Drainage

5.29 Drainage has been a matter which has been raised by local residents. Both ESCC SuDS and Southern Water have been consulted on this matter.

5.30 The SuDS team have stated that they note that this is a hybrid application with the majority of the development being proposed as a detailed application (19 properties) and a single house submitted as an outline application. They have some concerns about the surface water flood risk to the single property submitted as an outline application at the eastern part of the site but consider that this can be addressed as part of any reserved matters application, and therefore recommend a number of conditions.

5.31 Southern Water have carried out a capacity check and have confirmed that there is currently inadequate capacity within the foul sewerage network to accommodate foul flow for the development, which would increase flows to the public sewerage system and existing properties and land may be subject to a greater risk of flooding as a result. Therefore additional off-site sewers or improvements to existing sewers will be required to provide that capacity.

5.32 They have stated that this site would however fall within the new charging regime which comes into force on the 1 April 2018 and which would provide the necessary infrastructure to service the proposed development site within the existing sewerage system adjacent to the site. These costs will be recovered from the developer through the new Infrastructure Charge.

5.33 As such it is considered that the development can provide satisfactory drainage and is therefore subject to a number of conditions to ensure that the proposal will not have a detrimental effect on the existing drainage infrastructure, surrounding properties or adjacent land.

## S016 agreement

5.34 A legal agreement will be necessary to secure the following:

1. Eight affordable dwellings - 75% will be affordable rented and 25% intermediate.
2. New short sections of footway within the bellmouth of the access and extending around into Station Road and extending further to the south as illustratively shown on drawing No. PO1H.
3. Two uncontrolled crossing points in the form of dropped kerbs and/or tactile paving on Station Road side of the access point
4. A permissive path through the site up to the northern boundary of the site by plot 20 to ensure future access through to the adjacent site to the north should this development not be formerly adopted through the section 38 agreement procedure.
5. In lieu of traffic lights, which Plumpton does not have, a Traffic Regulation Order and appropriate signing with repeaters will be required and therefore a £6000 contribution is sought for the administrative costs of the Traffic Regulation Order.
6. Recycling contribution of £380

## Conclusion

5.35 Overall the scheme is considered to be well designed and laid out. Amendments have improved the access and the relationship of the dwelling to the west of the site with the existing dwellings along Station Road. The landscaped buffer has been increased in width along the western and southern boundary which helps to fragment views from existing dwellings and from the surrounding countryside.

5.36 The proposal is considered to comply with the Plumpton Neighbourhood Plan which is now progressing to adoption following its acceptance at referendum in March. It is considered that with conditions the impact of the development can be minimised, leading to an acceptable development on the edge of the settlement.

## **6. RECOMMENDATION**

That planning permission is granted subject to conditions and a S106 agreement.

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

1. Before the development hereby approved is commenced on site, details and samples of all external materials including all facing, roofing and surfacing materials 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 2012.

2. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy ST3 of the Lewes District Local Plan.

3. The hard and soft landscape works hereby approved shall be carried out as approved before first occupation. If within a period of five 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 - In order to secure an acceptable form of development and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012

4. In this condition 'retained tree' means an existing tree or hedge, 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 5 years from the first occupation of the development, except for the landscaped buffer to the south and west of the site which shall be retained for the lifetime of the development..

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.

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 Council.

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the written consent of the Council.

d) The approved method statements submitted in support of the application shall be adhered to in full in accordance with the approved plans and may only be modified subject to written agreement from the Council.

e) This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.

Reason - In order to secure an acceptable form of development and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012

5. No external lighting, either on the buildings hereby approved, or the new street, shall be installed/erected without the prior written approval of the Local Planning Authority.

Reason - To preserve the character of the area and to prevent light pollution in this countryside setting 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.

6. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 2 Classes A to F of Schedule 2, other than

hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area 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.

7. Before the first unit of the development is completed, full details of the ecological mitigation measures set out in the 2014 EclA bt Ethos and the 2017 Ecological Assessment update, shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval before first occupation of the development.

Reason - To improve the ecological value of the site and to avoid any detrimental impact on wildlife having regard to National Policy Guidance contained in the National Planning Policy Framework 2012.

8. 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 National Policy Guidance contained in the National Planning Policy Framework 2012.

9. Before any development takes place on Plot 16, full details of the reserved matters, which should accord with the broad design principles established and approved for the wider development site shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that approval.

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.

10. Surface water runoff from the proposed development should be limited to 2.8 l/s, for rainfall events including those with a 1 in 100 (plus climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

12. The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

13. Prior to occupation of the development evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

14. A detailed hydraulic model of the existing watercourses should be undertaken to support the design and location of the property. The hydraulic model should clearly show the following:

- a) The expected flooding extent from the watercourses during events with a 1 in 100 (plus climate change) annual probability of occurrence; and
- b) How the flood waters will be managed safely without endangering property or people. This should take into account the expected flood depths and hazard.

Reason - To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan, CP12 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

15. No part of the development shall be occupied until the road(s), footways and parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed 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.

16. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,

- o Hours of delivery of materials (avoiding school drop off and pick up times)
- o the anticipated number, frequency and types of vehicles used during construction,
- o the method of access and egress and routeing of vehicles during construction,
- o the parking of vehicles by site operatives and visitors,
- o the loading and unloading of plant, materials and waste,
- o the storage of plant and materials used in construction of the development,
- o the erection and maintenance of security hoarding,
- o the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- o details of public engagement both prior to and during construction works,

Reason: In the interests of highway safety and the amenities of the area and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

17. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with the approved plans. This space shall thereafter be retained at all times for this use.

Reason: In the interests of road safety and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

18. No part of the development shall be occupied until the car parking for plots 1 - 15 & 17-20 has been constructed and provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

19. No part of the development shall be occupied until covered and secure cycle parking spaces for plots 1 - 15 & 17 - 20 have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

20. No part of the development shall be occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

21. No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority, to prevent surface water draining onto the public highway.

Reason: In the interests of road safety and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

22. No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Station Road [C110] in accordance with the approved plans. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

23. No development shall commence until such time as temporary arrangements for access and turning for construction traffic has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction.

24. No development shall take place, including demolition, on the site until an agreed pre commencement condition survey of the surrounding highway network has been submitted and approved in writing by the Local Planning Authority. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.

Reason: In the interests of highway safety and the amenities of the area and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

25. No part of the development for the Outline Plot 16 shall be occupied until the car parking spaces and covered and secure cycle parking spaces have been constructed and provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development.

26. No development shall commence until such time as revised plans and details incorporating the recommendations given in the Stage 1 Road Safety Audit and accepted in the Designers Response have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of road safety.

27. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework

28. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [1] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework



## INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3. The applicant is advised to enter into a Section 59 Agreement under the Highways Act, 1980 to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The applicant is advised to contact the Transport Development Control Team (01273 482254) in order to commence this process.

4. The applicant is advised to enter into a Section 38 legal agreement with East Sussex County Council, as Highway Authority, for the proposed adoptable on-site highway works. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that any works commenced prior to the Sec 38 agreement being in place are undertaken at their own risk.

5. The applicant will be required to enter into a Section 278 legal agreement with East Sussex County Council, as Highway Authority, for the off-site highway works. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

6. The applicant's attention is drawn to the requirement for the temporary access to the site [see conditions above]. Whilst there is an existing forecourt access which the applicant may wish to use for construction vehicles, this access in its present form is not adequate and would require alterations/improvements for construction vehicles.

7. The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact the Transport Development Control Team (01273 482254).

8. The applicant is advised that the erection of temporary directional signage should be agreed with Transport Development Control Team prior to any signage being installed. The applicant should be aware that a Section 171, Highways Act 1980 licence will be required.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Transport Assessment	7 December 2017	4980/TS

Technical Report	7 December 2017	ARBORICULTURAL ASSESSMENT & METH
Justification / Heritage Statement	9 October 2017	
Planning Statement/Brief	9 October 2017	
Design & Access Statement	9 October 2017	
Landscaping	9 October 2017	17185-BT2
Landscaping	9 October 2017	17185-BT2 B
Proposed Layout Plan	9 March 2018	P01H
Additional Documents	9 October 2017	ACCOMMODATION SCHEDULE
Landscaping	7 December 2017	CALA21307 11 B
Landscaping	7 December 2017	CALA21307 11 B
Landscaping	7 December 2017	CALA21307 11 B
Additional Documents	9 October 2017	ECOLOGY ASSESSMENT
Technical Report	9 October 2017	GEOPHYSICAL SURVEY
Additional Documents	9 October 2017	ISSUE SHEET
Proposed Elevation(s)	9 October 2017	P10 PLOTS 17-20
Proposed Floor Plan(s)	9 October 2017	P10 PLOTS 17-20
Proposed Elevation(s)	9 October 2017	P11 PLOTS 17-20
Proposed Floor Plan(s)	9 October 2017	P11 PLOTS 17-20
Location Plan	9 October 2017	P20
Additional Documents	9 October 2017	P21 MATERIALS
Additional Documents	9 October 2017	PLANNING DOCUMENTATION
Proposed Elevation(s)	9 October 2017	P02 PLOTS 1 & 2
Proposed Floor Plan(s)	9 October 2017	P02 PLOTS 1 & 2
Proposed Elevation(s)	9 October 2017	P03 PLOTS 3-6
Proposed Floor Plan(s)	9 October 2017	P03 PLOTS 3-6
Proposed Elevation(s)	9 October 2017	P04 PLOTS 1-6

Proposed Elevation(s)	16 October 2017	P05A PLOTS 7-10
Proposed Floor Plan(s)	16 October 2017	P05A PLOTS 7-10
Proposed Elevation(s)	9 October 2017	P06 PLOTS 11-13
Proposed Floor Plan(s)	9 October 2017	P06 PLOTS 11-13
Proposed Elevation(s)	9 October 2017	P07 PLOTS 11-13
Proposed Elevation(s)	9 October 2017	P08 PLOTS 14 & 15
Proposed Floor Plan(s)	9 October 2017	P08 PLOTS 14 & 15
Proposed Elevation(s)	9 October 2017	P09 PLOTS 14 & 15
Proposed Elevation(s)	9 October 2017	P10 PLOTS 17-20
Proposed Floor Plan(s)	9 October 2017	P10 PLOTS 17-20
Proposed Elevation(s)	9 October 2017	P11 PLOTS 17-20
Proposed Floor Plan(s)	9 October 2017	P11 PLOTS 17-20
Landscaping	7 December 2017	TREE PROTECTION
Technical Report	7 December 2017	ARCHAEOLOGY DESK BASED ASSESSMEN
Additional Documents	21 December 2017	STAGE 1 RSA
Flood Risk Assessment	7 December 2017	4990/FRA_DS