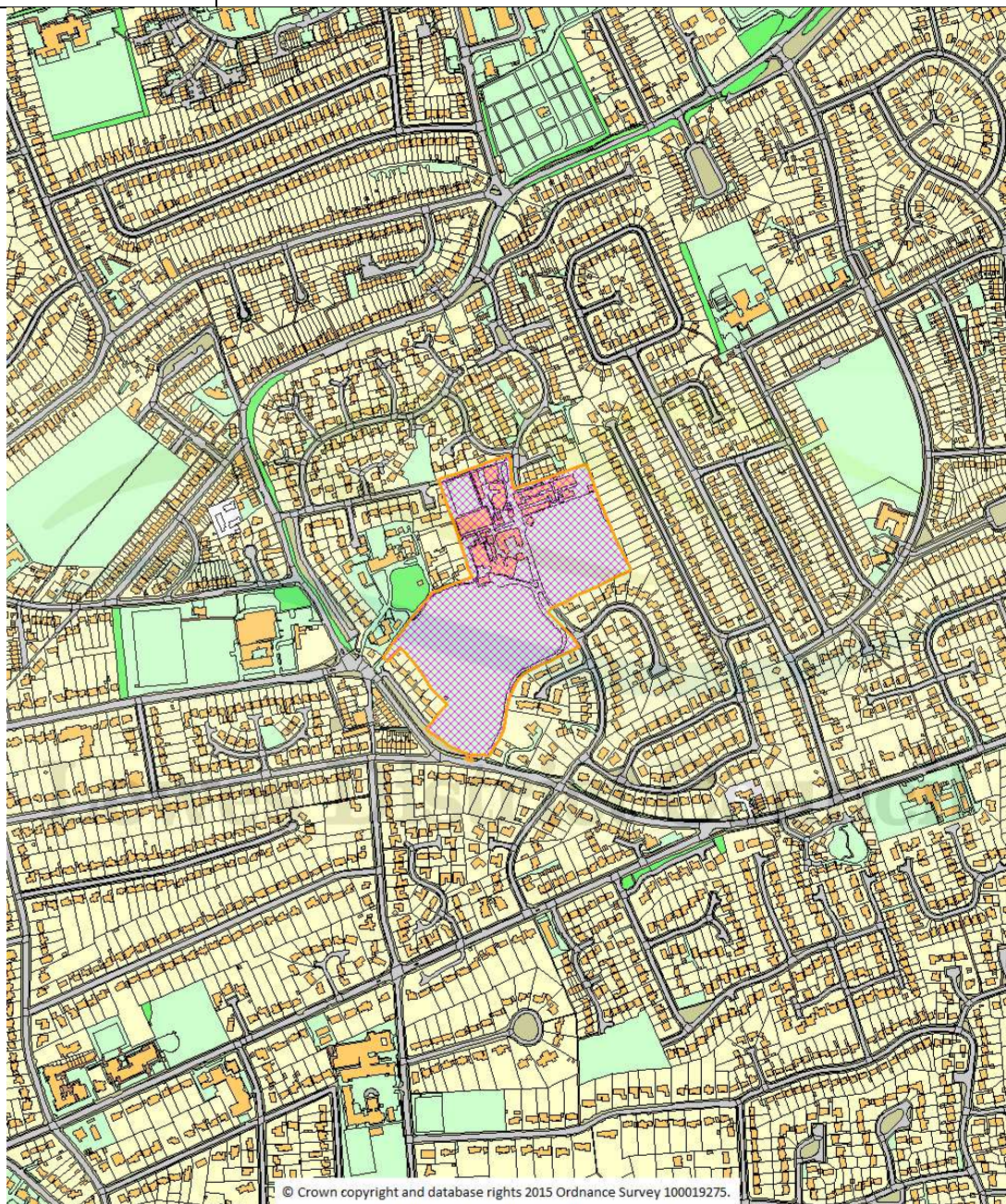


APPLICATION NUMBER:	LW/16/0800	ITEM NUMBER:	6
APPLICANTS NAME(S):	Jaynic Properties Ltd	PARISH / WARD:	Seaford / Seaford East
PROPOSAL:	Outline Planning Application for Revision of previous proposal for outline planning application for the redevelopment of the former Newlands School site for up to 183 residential dwellings, including up to 40% affordable housing, access details, residential conversion of the main Newlands building and demolition of the remaining buildings, proposal also includes provision of a sports pitch and ancillary changing rooms, public open space, a children's play area, associated parking and landscaping		
SITE ADDRESS:	Newlands School Eastbourne Road Seaford East Sussex BN25 4NP		
GRID REF:	TQ 49 99		



1. SITE DESCRIPTION / PROPOSAL

1.1 The site comprises the former Newlands School which is on the northern side of the A259, Eastbourne Road, and east of the town centre in Seaford. The site is within the planning boundary for the purposes of planning policy, and is in a predominantly residential area. The application site has an area totalling 6.35ha.

1.2 This is an outline application which has been amended since being originally submitted, and now proposes the construction of 183 dwellings (instead of 238), with public pitches and incidental changing room facilities together with parking; and a public open space and play area. An 'Indicative Testing Layout' (ITL) demonstrates the capacity of the site to accommodate these elements. All existing buildings, except the main school building, would be demolished.

1.3 The development would comprise mainly houses with some flats, with a mix of two-storey, two and a half-storey (rooms being in the roof space) and three-storey development on the site. The ITL suggests that the development might be expected to comprise:

- 52 one and two-bed apartments.
- 49 two-bed houses.
- 61 three-bed houses.
- 16 four-bed houses.
- 5 five-bed houses.

1.4 A new spine road would access the development off Eastbourne Road (A259). The main school building would be retained and converted into 16 apartments, and this building would face onto an area of open space to the west of the spine road. This open space would largely accommodate playing pitches (a full size football pitch overlapped with two junior pitches), ancillary changing rooms with an adjacent parking area, and a children's play area. The open space would stretch from the A259 frontage to the main former school building, including either side of the spine road immediately adjacent to the A259 Eastbourne Road.

1.5 The residential elements would occupy the areas east of the spine road and in the northern part of the site, adjacent to surrounding residential areas of Stoke Close and Farm Close to the east, Blue Haze Avenue, Bromley Road and Dulwich Close to the north, and Sandore Road and Sutton Place to the west.

1.6 At the Eastbourne Road access point, either a new mini-roundabout or right hand turning lane would be provided as part of the development (both options are acceptable to the Highway Authority), but a mini-roundabout is the preferred choice. The mini-roundabout option is the access put forward in this report.

1.7 As part of the amended scheme the following plans and documents have been submitted to support the application, being a Concept Framework Plan, Landscape Concept Framework Plan, Design and Access addendum, Transport Assessment addendum report final, Indicative Testing Layout (indicative plan for information only), Built Heritage Assessment and Flood Risk Assessment.

1.8 The original application included the submission of a Design and Access Statement, Planning Statement, Statement of Community Involvement, Built Heritage Assessment, Arboricultural Impact Assessment, Flood Risk Assessment, Archaeological

(desk based) Assessment, Utility Statement, Transport Assessment, Travel Plan, Sports Scoping Study, Indicative 3D Visualisation from the A259, Ecological Assessment, Biodiversity Checklist, Ground Investigation Report, and Indicative Plans illustrating the street hierarchy, building heights, character areas and parameter plan.

1.9 The application is for “up to 40% affordable housing”, with 40% shown on the Indicative Testing Layout drawing (Rev T). The associated S106 Agreement would allow for an adjustment to this percentage, in the event that a viability assessment is submitted at the reserved matters stage, which has the agreement of the District Valuer (the starting point, however, is for 40% affordable housing to be delivered).

Background

1.11 Pre-application discussions took place between planning officers (planning policy and development management) between March-June 2016. This was after a public consultation event was held by the applicant on 2 December 2015. It is understood that meetings with Town and District Councillors also took place during this time.

1.12 A public consultation exercise and exhibition took place in addition to a meeting with the Town Council.

Policy

1.13 Lewes District Council (LDC) adopted the Joint Core Strategy (JCS) on the 11th May 2016. The JCS, including the retained 'saved' 2003 Lewes District Local Plan (LDLP) policies, is the development plan for the district. Its policies are therefore to be given full weight in the determination of this planning application, unless other material considerations indicate that it would be unreasonable to do so.

2. RELEVANT POLICIES

LDLP: – H02 – Listed Buildings

LDLP: – H03 – Building Local, Visual or Historic Int

LDLP: – CP8 – Green Infrastructure

LDLP: – CP1 – Affordable Housing

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP7 – Infrastructure

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

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

LDLP: – ST11 – Landscaping of Development

LDLP: – T01 – Travel Demand Management

LDLP: - SF12 – Land north of Alfriston Road

3. PLANNING HISTORY

3.1 Numerous planning applications in relation to the former Newlands School have been determined in the past, but none are relevant to the current application.

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Seaford Town Council

4.1 The Town Council's original OBJECTION is maintained (in relation to the amended proposal) and commented that;

4.2 *“Around 75 residents attended the meeting and around 20 took the opportunity to raise questions, concerns and objections relating to the revised plans.*

4.3 *The level of public interest endorses the welcome decision of the District Council to hold a special meeting of the Planning Applications Committee in Seaford to consider and determine the application.*

4.4 *The objection raised is made on the following grounds;*

4.5 *That the objection lodged by Sport England dated 20th March 2017, based on the failure to comply with Para 74 of the NPPF, should be supported.*

4.6 *That the sports pitch and associated facilities included in the revised plans did not compensate for the loss of facilities such as the 'State of the Art' Gymnasium and Swimming Pool.*

4.7 *That if the District Council is minded to approve the revised plans it should insist on the provision of a 4G sports pitch with floodlighting in order to meet the concerns of Sport England regarding quality and accessibility and partly mitigate the net loss of facilities at the site.*

4.8 *That the overall density of the housing to be provided is still too high taking into account the traffic generation issues and the need to protect the amenities of neighbouring properties*

4.9 *That the number of units to be provided should therefore be reduced to 140 and additional public green space be provided in the area on the North side of the site in order to mitigate the impact of the loss of the current green space in that part of the site on the adjoining properties to the north/ north-east*

4.10 *That assurances be sought from the applicants that the pedestrian/cycle access from Blue Haze Avenue will not be used for vehicular traffic and that the emergency access at the boundary of the site with Manor Road North will be properly secure.”*

ESCC Highways

4.11 No objection subject to planning conditions and a Section 106 Agreement.

4.12 *“The applicant has addressed all the original highway issues and fully assessed the traffic impact of this proposal. I am therefore satisfied that the impact of this development [183 dwellings and sports pitch] can be accommodated on the highway*

network provided the mitigation measures are carried out. I recommend that the application be approved subject to highway conditions and a section 106/278 agreement to secure the highway works.

4.13 The main elements of this OUTLINE application are: Up to 183 dwellings with associated estate roads and; New/repositioned Access onto A259, New mini-roundabout access arrangement on A259. New sports pitch and associated parking.

4.14 Access/Traffic Impact - This section of the A259 carries a significant amount of traffic and carried 12950 vehicles in 2016.

4.15 The application indicates that a new/repositioned access would be provided onto the A259 (Eastbourne Road) with the redundant section of the existing access being closed off. The applicant has now provided two options for the access arrangement which are a priority T junction or incorporating a new mini-roundabout onto the A259. The Highway Authority would prefer the mini-roundabout access arrangement which would be consistent and compatible with other road access arrangements in this locality of Seaford.

4.16 Stage 1 Road Safety Audits on the proposed access arrangement for both options have been satisfactorily carried out with minor adjustments to be made at detail stage.

4.17 The applicant has carried out Arcady analysis of the mini roundabout and Picady on the priority T junction. The results reveal that both scenarios would operate within capacity terms and will not cause unacceptable queuing on the A259.

4.18 Although the TA does not assess the trip rates at all for Saturdays/Sundays I concur with the applicant that the main issue is the PM peak weekday period.

4.19 It is noted that the applicant has submitted further information regarding the use of the proposed sports pitches. The pitches will be predominately used at weekends and only occasionally used in the evenings and not at peak times. The applicant has agreed that the sports pitches will be managed and that it would not be bookable until 7pm during weekdays. As this would not generate traffic during the PM peak period on the highway network this use is acceptable. The applicant has agreed that this can be secured by way of a planning condition which can be applied to ensure that the pitches are not able to be booked or used (other than as public open space) during this time period.

4.20 In conclusion the development overall will generate less traffic than the potential existing use of the site. Although there will be an increase in traffic in the PM peak the applicant has demonstrated that the proposed mini-roundabout will operate within capacity and therefore will not cause any adverse effects on the public highway subject to mitigation measures below.

4.21 Emergency Access - Paragraph 3.15 of the technical note TA addendum states that details of this emergency vehicular access will be dealt with at detail stage. These details could be secured through a section 106 Agreement. However, it should be noted that a droppable bollard is not likely to be acceptable and something more substantial would need to be provided to prevent normal vehicular access/egress at this point. It is noted that the applicant is willing to discuss this issue at detail stage to provide a suitable arrangement here.

4.22 Accessibility - Controlled Crossings -The Zebra Crossing on Alfriston Road needs upgrading to a Toucan and is required in order for the development to be acceptable in terms of accessibility.

4.23 As previously mentioned the main desire line for pedestrians [and cyclists], particularly to schools and cycle route, is immediately across the A259 to Hartfield Road and therefore a new Toucan Crossing facility needs to be provided across the A259 in the locality of the main access to the site. The amended access arrangement plans show this new crossing facility. The applicant has agreed to provide both this new crossing and the upgraded one onto Alfriston Road.

4.24 Bus services - I confirm that given the site location in terms of being within the recommended walking distances to bus stops no additional bus service is required within the site.

4.25 Bus Stops on A259 [Eastbourne Road] Improvements/upgrading of two sets of bus stops on the A259 to the east and west of the site is required to include:-

4.26 Eastbourne Road Bus Stops These are opposite and adjacent to Manor Road. The eastbound stop requires real-time passenger information sign. In addition the rounded profile of the layby is not ideal in terms of modern accessibility standards thus work is required to make it DDA compliant and change to a more straighter profile adjacent to the stopping point for the bus door which may require the layby to be extended.

4.27 Sutton Road Bus Stops Both require real time passenger information signs and bus stop clearway markings. Westbound bus stop requires DDA compliant kerbing. The 3 Real-time information signs would need to be in the form of a contribution of £37,500 (£12,500 per sign) and secured through the 106 Agreement.

4.28 The off-site highway works including bus stop improvements and contributions would be required in order for the development to be acceptable. These therefore need to be secured through section 106/278 agreements.

4.29 Whilst the agent has requested the real time information contribution to be reduced in accordance with the reduced housing levels this is not acceptable as the occupiers will still increase the need for this information at these bus stops.

4.30 It is noted that the applicant has agreed that all the bus stop improvements are necessary and has confirmed that these works will be done and has also accepted the real time passenger information signs contribution.

4.31 Parking/Vehicle Tracking - Although the parking is to be dealt with at detail stage as this Outline application does not include the layout [only indicative] the original TA states that the parking would be based on 1.44 spaces per unit whereas parking should be in accordance with ESCC's parking guidelines. The agent/applicant has confirmed that the parking would be in accordance with ESCC's parking guidelines and can be dealt with by condition of any planning permission.

4.32 Paragraph 7.25 of the submitted "Framework Travel Plan" mentions that two car club parking bays would be provided within the development. This would encourage some residents not to have a motor vehicle and is therefore welcomed. However, this would be dealt with at detail stage.

4.33 The applicant has now provided additional Swept path for the largest refuse vehicle of 12.1m for both access arrangements. Swept path has also been satisfactorily provided for private motor cars entering and leaving the two private accesses opposite the proposed site entrance.

4.34 Travel Plan - The applicant has submitted a "Framework Travel Plan" however, this is considered to be a Preliminary Draft Travel Plan. The Travel Plan details will need to be secured through a Section 106 agreement together with a Travel Plan Audit fee of £6,500.

4.35 The travel plan will need to be altered to include :- Measures such as reduced (or free) bus/rail tickets for a specific period, interest free loans for bicycles, rail tickets etc. Doctor Bike sessions arranged to visit the development. The surveys would need to be in accordance with ESCC's guidance and thus SAM methodology should be used. Example questionnaires need to be provided. Section 3 states development of up to 185 units whereas proposal is for up to 183 units. Example of a travel plan pack should be included.

4.36 These measures will be agreed through the draft Travel Plan.

4.37 Mitigation Measures - 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 mini-roundabout on Eastbourne Road (A259) 2. New Controlled Crossing facility on Eastbourne Road A259 [to be agreed] to the west of the proposed access road to the site together with associated dropped kerbs/tactile paving 3. Upgrading of existing Zebra Crossing on Alfriston Road to a Toucan. 4. Improvements to Sutton Road westbound bus stop to include DDA compliant kerbing. 5. Improvements to Manor Road Eastbound Bus Stop to include DDA compliant kerbing, and extending/improving layby as necessary. 6. Contribution of £5,000 for carrying out consultations, site notices etc for bus stop clearways at 3 bus stops and for any Traffic Regulation Order that may be required as a result of the development. 7. Contribution of £37,500 for Real-time Passenger Information Signs at 3 bus stops together with associated 4 stage Road Safety Audits."

Design & Conservation Officer

4.38 No objection following receipt of the amended drawings.

4.39 It was recommended that the original application proposal be refused. The Design and Conservation Officer considered that the development would have encroached upon and crowded the open setting of the Sutton Place (Manor House) grade II listed building (to the west of the site) therefore adversely affecting its character by neither sustaining or enhancing it. The public benefits of the proposal were considered to not outweigh the harm the proposed development would have been likely to cause. The original proposal thereby conflicted with policies H2 of the Lewes District Local Plan, CP11 of the Joint Core Strategy and the National Planning Policy Framework.

Historic England

4.40 Historic England considers that it is not necessary for them to be notified of this application.

LDC Planning Policy Comments

4.41 The above application should be considered against the adopted Lewes District Joint Core Strategy (JCS), including relevant retained 'saved' 2003 Lewes District Local Plan (LDLP) policies, so far as it is consistent with the National Planning Policy Framework (NPPF), and the NPPF itself.

4.42 The proposal is a revised outline planning application for a residential development of up to 183 dwellings, reduced from 238 dwellings, and includes the

provision of up to 40% affordable housing. The revised proposal also now includes the provision of a sports pitch and ancillary changing rooms.

4.43 From a planning policy perspective, the following issues should be considered when determining the above planning application: Infrastructure and loss of community facilities and services (Core Policy 7); Green Infrastructure (Core Policy 8); Paragraphs 7 & 74 of the National Planning Policy Framework; and Community Infrastructure Levy (CIL).

4.44 Lewes District Council (LDC) and the South Downs National Park Authority (SDNPA) adopted the JCS on the 11th May 2016 and 23rd June 2016 respectively. The JCS, including the retained 'saved' 2003 LDLP policies, is the development plan for the district. Its policies are therefore given full weight in the determination of relevant planning applications in the district, unless other material considerations indicate that it would be unreasonable to do so.

4.45 Recreation and Sports facilities and Green Infrastructure - The application site is approximately 6.35ha and sits within the planning boundary where the principle of development is acceptable, ('saved' Policy CT1). The site consists of a vacant private boarding school, including a number of indoor and outdoor sports and recreational facilities. The former Newlands School and associated buildings are reported to have closed in July 2014 as the school was no longer viable. The closure followed two previous periods of financial uncertainty in 2006 and 2010.

4.46 The applicant's supporting Sports Scoping Study (page 3) lists the sports facilities on site as: Grass pitch provision; 2 x cricket squares and ancillary cricket facilities; Hard court area incorporating tennis and netball markings; 4 court sports hall (594sqm); 4 lane 20m swimming pool; and Sports pavilion with changing room provision for indoor & outdoor sports.

4.47 The applicant's 2016 Planning Statement (paragraph 6.22) states that the former playing fields have not been used since the school's closure with the Sports Scoping Study stating that a "Limited number of external organisations also used the school facilities under a structured community programme". It further suggests that since the school's closure in July 2014 the organisations previously accessing the site's facilities have relocated to other facilities or merged with neighbouring clubs.

4.48 It should be noted that the 2004 Lewes District Outdoor Playing Space Review concluded an existing total shortfall in the Seaford sub-area of 1.9 pitches, including a shortfall in: Junior Football pitches(-3.0); Cricket pitches (-0.8); and Hockey pitches (-0.2).

4.49 Therefore, other facilities in the town are likely to already be under strain or lack sufficient capacity to adequately accommodate the increased demand from the organisations which have had to relocate from the former Newlands School facilities. The Lewes District Council Information Recreational Space Study (2005) also concluded a deficit in some types of informal recreational space in Seaford, including natural & semi-natural greenspace and amenity greenspace. The Study also highlighted that in central areas of the town (north of the A259 and away from the urban edges and coastal areas) there was a lack of access to open space and that existing informal recreation areas were under pressure due to the lack of formal play and sports pitches.

4.50 Core Policy 7(CP7): Infrastructure of the Joint Core Strategy seeks to create sustainable communities in the district through protecting, retaining and enhancing existing community facilities. Bullet point 2 of CP7 seeks to achieve the above by: *"Resisting proposals involving the loss of sites or premises currently, or last, used for the provision of*

community facilities or services unless: i) a viability appraisal, including a marketing exercise where appropriate, demonstrates that continued use as a community facility or service is no longer feasible; or ii) an alternative facility of equivalent or better quality to meet community needs is available or will be provided in an accessible location within the same locality; or iii) a significant enhancement to the nature and quality of an existing facility will result from the redevelopment of part of the site or premises for alternative uses."

4.51 Core Policy 8 (CP8): Green Infrastructure (GI) seeks to protect and enhance the quantity, quality and accessibility of open spaces to promote a network of connected green infrastructure. Paragraph 7.80 of the JCS sets out the type of green space that can contribute to GI including, *"outdoor sports facilities (with natural or artificial surfaces, either publicly or privately owned) and cycleways"* [emphasis added].

4.52 Bullet point 4 of CP8 states that the above will be achieved by: "Resisting development that would undermine the functional integrity of the green infrastructure network or would result in the loss of existing green spaces, unless either mitigation measures are incorporated within the development or alternative and suitable provision is made elsewhere in the locality". Approximately 60% (3.8ha) of the application site is currently formed of grass pitches/fields. The loss of this green space will reduce the town's GI and exacerbate pressures on existing open spaces and facilities around the town.

4.53 Also relevant in the consideration of this proposal are paragraphs 7 and 74 of the NPPF which seek to achieve sustainable development (taking into consideration the three 'roles' of planning; economic, social and environmental) and promote healthy communities.

4.54 Paragraph 7 sets out the three dimensions to sustainable development. Supporting strong, vibrant and healthy communities falls under planning's 'social role'. This includes accessible local services that reflect the community's needs and support its health, social and cultural well-being, as well as providing housing.

4.55 Paragraph 74 states that 'Existing open space sports and recreational buildings and land, including playing fields, should not be built on unless: An assessment has been undertaken which has clearly show the open space, buildings or land to be surplus to requirement; or The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable locations; or The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

4.56 The revised scheme proposes to deliver housing on the demolished sports facilities to the rear of the site and recreation fields on the eastern part of the site resulting in a partial loss of these community facilities. The current proposal sets out the provision of an 11x11 football pitch, overlapped with two junior pitches, to be located in the western part of the site. This provision will help meet some of the need for sports pitches within Seaford town, as identified above.

4.57 Community Infrastructure Levy (CIL) - Lewes District Council implemented its Community Infrastructure Levy (CIL) on 1st December 2015 for the areas of the district that fall outside the South Downs National Park. CIL is a tariff based planning charge to help deliver infrastructure to support development in the relevant planning area. CIL monies will be collected which could then go towards projects identified in the District Council's CIL Regulation 123 List (available to view on the CIL Spending webpage) including outdoor sports provision in Seaford.

4.58 The proposal now includes on-site provision of sports pitches to mitigate the loss elsewhere on the site. This method of provision should be secured via Section 106 agreement. Future CIL receipts would not be used to deliver this infrastructure, should the scheme be approved as proposed, so as to avoid 'double-dipping'.

4.59 In addition, the Council's 2017 CIL Implementation Policies, including Instalments Policy and Infrastructure Payments Policy for the provision of on-site children's play space (where relevant conditions and standards have been met) will need to be considered at the relevant Reserved Matters stage.

4.60 Conclusion - The Joint Core Strategy (JCS), and relevant policies therein, is the adopted development plan for the Lewes district and as such is given full weight. It is recognised that the proposed scheme would have some benefits, such as contributing to the housing supply, including affordable housing, within Seaford town (where there is currently limited capacity identified for new housing) and Lewes district as a whole.

4.61 The revised scheme responds positively to previous objections raised over the loss of community facilities. Whilst a loss of sports and recreation facilities still results from this proposal, the revised scheme seeks to partly mitigate the loss through the provision of an onsite sports pitch, with ancillary changing rooms.

4.62 It is recognised that the development seeks to utilise brownfield land, albeit this forms a smaller proportion (approximately 25%) of the overall application site. The proposal also acknowledges the heritage value of the Former Newlands School building, through its retention, and the setting of Manor House Listed Building to the north west of the site.

4.63 As such, on balance I consider that the proposed development should be recommended for approval.

Sport England

4.64 Sport England OBJECTS to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

4.65 Sport England considers that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

4.66 The existing site is a large disused school including playing pitches, tennis courts, a four court sports hall, a swimming pool and a sports pavilion.

4.67 It is not considered that this replacement pitch meets exception E4, which states that playing field lost must be replaced, equivalent or better in terms of quantity, quality and accessibility. Aerial photographs show that the previous land accommodated at least three adult football pitches, plus a cricket pitch. There is clearly not a similar quantity of replacement playing pitch being proposed to be replaced here. Nor does it meet any other exceptions. I note there is currently no up to date playing pitch strategy for the area suggesting a surplus - Sport England would certainly not accept a document from 2004. There is no robust evidence available that this level of provision addresses local need.

4.68 Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and

Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

Tree & Landscape Officer Comments

4.69 No objection.

4.70 *“There is a range of alterations made in response to concerns raised during the course of negotiations much of which can be considered improvements to the scheme as a whole.*

4.71 *Some planting, albeit indicatively, is shown to be located within the private domestic gardens. This is to be avoided as it will lead to conflict with future residents. Communal areas and strategic planting areas including existing and new tree planting should be located outside private domestic curtilages and managed collectively by a separate management company to stated aims and objectives.*

4.72 *The design of landscaped areas should incorporate adequate access for maintenance and be positioned to minimise conflict with future residents. Whilst this is predominately the case over much of the site, this does not appear to have been achieved with the line of trees located at the rear of properties in Farm Close and identified as G85 of the Tree Survey. This group of trees will be subject to piecemeal management by individual residents and this will result in the erosion of the screening function of this group of trees.”*

4.73 Tree Preservation Order (No.16) 1994; Tree Preservation Order (No.44) 1997

4.74 Documents Considered - Arboricultural Survey, Impact Assessment and Protection Plan; Indicative Testing Layout BNL.0697_13 Rev S; Landscape Concept Framework Plan BNL.0697_18-J; Concept Framework Plan BNL.0697_17Q; Memo D Wynn dated 2 December 2016

Environmental Health

4.75 No objection subject to the recommendation of a planning condition in relation to a remediation strategy following the discovery of unsuspected contamination.

UK Power Networks

4.76 No comments received.

Environment Agency

4.77 No comments received regarding the revised application proposal.

ESCC Archaeologist

4.78 No objection subject to the recommendation of planning conditions requiring archaeological investigation works if permission is granted.

ESCC Infrastructure Contributions

4.79 No comments received.

ESCC SUDS

4.80 No objection in principle subject to the imposition of conditions. Whilst the application document has not met all the county councils requirements, it is possible that the risk is capable of being mitigated to acceptable levels by the application of planning conditions.

East Sussex Fire and Rescue Services

4.81 No comments received.

Early Years Development Childcare Partnership

4.82 No comments received.

Housing Needs And Strategy Division

4.83 No comments received.

National Grid

4.84 No comments received.

LDC Regeneration & Investment

4.85 None received as this is an application for the redevelopment of housing.

Sussex Community National Health Service Trust

4.86 No comments received regarding the revised application proposal.

South East Water

4.87 No comments received regarding the revised application proposal.

Southern Gas Networks

4.88 No objection.

4.89 Advice is given to the applicant reminding them of safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services". These must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is the applicants responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Sussex Police

4.90 No further comment to make following re-notification of the revised application proposal.

Southern Water Plc

4.91 No objection subject to the recommendation of planning conditions if permission is granted. These conditions should include the submission of details to the Planning

Authority in relation to development and tree planting and its proximity to public sewers (should be at least 5m away), the protection of public sewers, the submission of a detailed drainage strategy to the planning authority detailing the means of foul and surface water disposal.

4.92 An informative is also recommended to remind the applicant/developer to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.

District Services

4.93 No objection in principle. Although there are concerns over access and refuse placement, and how lorries would obtain access to be able to collect from the new properties. Clarification is also needed over whether the developers would be suggesting kerbside collection or communal waste sites or a combination of the two.

British Telecom

4.94 No objection but recommends an informative advising the applicant to contact BT to enquire about the location in the area of BT's network and communication apparatus.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Since re-notification of the amended scheme 42 letters of representation have been received including letters of objection from 29 households. Their concerns have been summarised as follows;

- There are restrictive covenants on the land prohibiting any development that either increases or reduces the levels by even one foot, the proposal should therefore be refused without further consideration.
- The playing fields are unnecessary
- Impact on wildlife
- Prejudicial to highway safety on A259 and Manor Road estate from increased traffic generation
- Inadequate access (traffic lights at the right hand turn might improve safety?). There should also be more than one main access
- Lack of infrastructure (schools, doctors surgeries/hospitals/dentists and drainage)
- Loss of open space, school and playing fields
- Noise and disturbance (particularly from the proposed playing fields and from parking spaces and access points into the site. It would be more appropriate to use the open space as a treed park to encourage wildlife and for use by mothers and children and elderly people)
- Out of character
- Overdevelopment and the density is too high and higher than the original proposal
- Overlooking and a loss of privacy
- Insufficient information (clarification is required regarding the area adjacent to Blue Haze Avenue/Bromley Road where parking is proposed. There is not a solid boundary and concern is raised that this could be used by traffic)
- Flooding (the wrong river basin management plan has been used to determine climate change)
- There should be adequate parking provided on site
- Overshadowing and loss of light due to proximity of development which is overbearing particularly in the north eastern field
- Bungalows should be provided for elderly residents to free up existing larger homes

- Will CIL be for Seaford and not Lewes?
- How will the emergency access from Manor Road North be policed/enforced?
- Loss of the swimming pool. The prior use of all the sports facilities has been overlooked and played down. Outside of the private school use of these, are regular weekly clubs including football (x2), netball, cricket, gymnastics, swimming, martial arts, dance. A growing population needs more provision, not less.
- The proposed width of the buffer planting is inconsistent around the perimeter of the site and there should be buffer planting of 3m -5m on all boundaries which should commence prior to development.
- The view of the main school from the A259 has been largely lost due to the proposed housing to the south east of the site. These should be moved further east.
- The cottage is proposed to be demolished which is of historical significance and should be retained. It is a high quality example of 1930's seaside vernacular architecture.
- The proposed buildings to the east of the main school building will be visually competitive in terms of their scale when viewed with the existing main school building. They should appear subservient.
- Increased wear and tear on surrounding roads
- No renewables are proposed to offset the impact on the existing infrastructure

11 letters have been received in support and 2 letters which are neither in support or objecting. Their comments have been summarised as follows;

- Providing much needed housing in a suburban location ideal for families
- Providing much needed playing fields. There is a shortage of pitches for Seaford's clubs to play and train.
- 40% affordable housing is welcomed and should be genuinely affordable
- Accessibility of the site from the north, south, east and west is welcomed
- The open space and play facilities should have a management plan
- The amended scheme has fewer houses and a lower density
- There will be a reduction in traffic generated
- This is re-use of a brownfield site where existing buildings are no longer fit for purpose
- The area previously used for cricket is being retained as two youth pitches
- CIL can contribute towards the additional demands on local infrastructure and services
- Use of pitches at weekends may help to reduce local crime. This was the case in Croydon where a local community football team was set up.

In relation to the original scheme, letters of representations were received from 46 households of which there were 39 objections and 1 letter in support of the then proposed development. The remaining 6 letters were neither in support or objecting.

6. PLANNING CONSIDERATIONS

6.1 The main planning issues for consideration are:

- 1) Principle of the development
- 2) Effect on character and appearance of area and listed building
- 3) Impact on living conditions of residents
- 4) Highways
- 5) Effect on sports provision
- 6) Impact on the setting of the listed building
- 7) Healthcare
- 8) Affordable Housing
- 9) Trees and Landscape
- 10) Wildlife
- 11) Drainage/SUDS
- 12) S106 and CIL

1) Principle

6.2 The site is located within the planning boundary as defined in the Lewes District Local Plan, where the principle of development is acceptable.

6.3 There is no local plan planning policy which requires the retention of school sites in education use. In any case, since Newlands School closed in 2014, the site has been vacant. Redevelopment of the site for residential purposes, as an alternative use, is considered to be acceptable in principle.

6.4 As at 1 April 2017 the Council is able to demonstrate a 5 year supply of deliverable housing land (equivalent to 5.36 years).

6.4 Paragraph 47 of the National Planning Policy Framework (NPPF) requires Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.

6.5 The issue of whether this site is a 'windfall' (referred to in the context of the Joint Core Strategy) or an 'unidentified' site has been raised, in terms of whether the housing supply would contribute towards the Seaford neighbourhood plan minimum housing requirement.

6.6 For the purposes of clarity the application site is an 'unidentified' site. Windfall sites are generally smaller sites (5 units or less) which have been demonstrated to be a consistent source of housing on top of large housing allocations and rural exception sites.

6.7 The minimum 185 units which the Seaford Neighbourhood Plan is seeking to deliver within the Plan, was informed by the capacity for new housing identified through the 2014 Strategic Housing Land Availability Assessment (SHLAA). However, the Newlands School site is not a site identified in the 2014 SHLAA which informed the 185 housing figure. Had the former Newlands site been identified in the 2014 SHLAA, this would have been reflected in the additional potential capacity of the town to deliver housing, and subsequently Seaford's settlement figure which would be likely to have been increased.

2) Character and appearance of the area

6.8 Objections have been received from Seaford Town Council and nearby residents in relation to the impact on the character and appearance of the area and the townscape in terms of no. of units, amount of development and retention of open space. For the most part, the area surrounding the site is suburban and characterised predominantly with relatively large detached properties in their own plots. The largely two-storey character of the proposed development, with three-storey towards the more central parts of the site, is considered to be in keeping with the character of the broader area.

6.9 At the pre application stages and before LDC received the formal pre-application enquiry (September 2015), policy advice was given on the basis of a larger site (7.5ha - original SHLAA submission) and a figure of 140 dwellings was suggested.

6.10 Officers in planning policy confirmed that, on the issue of site size and capacity, the submitted SHLAA site form showed the site size to be 7.5ha. The applicants provided a dwelling capacity calculated against a reduced site size (6.5ha) to take into account identified constraints (protected trees and the listed building predominantly sited to the western side of the application site) using the density range as set out in policy CP2 (47dph - 57dph) of the JCS. The site size was reduced further (5.5ha) through the assessment following comments from the ESCC Landscape Architect, who highlighted the contribution made by the main school building and open space (which should be retained as far as possible) on the character of the area. It was also calculated against a reduced dph (25dph) which was considered to be more in keeping with surrounding densities.

6.11 The density range as set out in CP2 of the JCS is between 47dph and 57dph for new development in towns is a guide, and the policy states that higher or lower densities may be justified by the specific character and context of a site.

6.12 Based on the above comments made by the ESCC Landscape Architect, it has been calculated that a site of 6.5ha with a density of 25dph, would accommodate around 163 dwellings. The amended scheme as now proposed would result in 183 dwellings on a site area of 6.35ha which equates to a density of around 29dph across the whole site (instead of 37dph as originally proposed). In practice though, the areas of housing to be developed, as illustrated on the Indicative Testing Layout (drawing no. BNL_0697_13 Rev T), will be at a greater density on the northern part of the site (50dph) due to their concentration and areas of open space to be retained on the southern part of the site.

6.13 The ESCC Landscape Architect originally advised that the proposal should include the following design criteria; a green corridor or avenue from the A259 to reflect the width of the building frontage (main school building proposed for conversion) so that the old school building appears to front onto open parkland. Furthermore, to cluster the development set back from the A259, either side of the avenue and to the northern side of the school building, all surrounded by green corridors, open space and landscape buffers. The areas to the north of the school could possibly be of higher density than the neighbouring residential areas as long as there are satisfactory landscaped buffers around the perimeter of the application site. It was commented that the areas to the west and east of the central vista could be developed without harm to the local landscape.

6.14 The amended layout as now proposed has reasonably addressed the above criteria and relevant planning policies. The number of dwellings proposed has been reduced and the vista to the existing main school building retained. It is considered that the density of the development across the entirety of the site would not constitute overdevelopment of the application site as identified by the red edged boundary on the Indicative Testing Layout.

6.15 The spine road under the revised scheme is curved, which is considered to be more in keeping with the existing design of roads surrounding the site. The building line of the development proposed on the eastern side of the spine road lines up with the eastern elevation of the existing main school building, thereby maintaining a green open vista of the building from the A259. The development would be set back and into the site from the A259.

6.16 The area to the west of the spine road will remain open, to retain the 'parkland setting' and conserve the outlook from the nearby listed building, whilst also offering some mitigation towards the loss of sports provision from the site. The proposed landscaping, including tree planting and buffer areas, are also included within the current revised proposal as advised by the ESCC Landscape Architect.

6.17 Although the Council have a five year housing land supply, it is recognised that the development would be providing much needed housing for the District and the growing population of Seaford. The layout as now proposed is an acceptable compromise on this site and is considered to comply with paragraph 7 of the NPPF, which sets out the three dimensions to sustainable development (economic, social and environmental).

6.18 Supporting strong, vibrant and healthy communities' falls under planning's 'social role'. This includes the development being accessible to local services, and creating a high quality development which reflects the community's needs and supports its health, social and cultural well-being. The economic role would be achieved through the association with local building and supplies, and the strengthening of the local economy through the increase in the local population. The environmental role applies through development and enhancement of a vacant site (which is deteriorating in appearance) whilst retaining a significant open space.

6.19 The issue of town centre viability which has been raised in the representations as an objection, should, it is considered, carry little weight. It is considered that the proposed housing would increase footfall and 'spending power' in the town centre and thereby help increase its vitality and viability.

6.20 The proposed development recognises that the existing open space is a valuable contribution to the townscape character in this location next to the A259. It is considered that the proposed density is acceptable and would conserve and enhance the attractive quality and character of this part of Seaford. The proposal is considered to comply with Policies CP2 and CP7 of the JCS and the general aims of the NPPF.

3) Impact on living conditions of surrounding residents

6.21 Objections have been made on grounds of overlooking/loss of privacy, overshadowing/loss of daylight and sunlight, and overbearing impact in terms of height and proximity to residents surrounding the site. Also, noise and disturbance from proposed parking areas and access points.

6.22 This is an outline application where, if permission is granted, the details of the layout will be reserved for further consideration under a subsequent planning application. However, the indicative drawings inform the layout and heights of the proposed development and provide an expectation of what would be delivered. For the most part, the development maintains separation distances between proposed and adjoining existing properties of around 20m. Although the new houses would be clearly visible from surrounding properties, and may obstruct existing views across open parts of the site, the

separation distances would preclude what would be regarded, in planning terms, significant overlooking, loss of outlook or obtrusiveness that would be considered to materially harm the living conditions for the occupants of existing nearby properties.

6.23 Any two and a half and three storey buildings are purposefully, and for the most part, centrally positioned within the site away from the boundaries shared with existing adjoining properties. Any three-storey proposed buildings would be towards the front of the site nearer to the A259 and would be 'side on' to development outside the site.

6.24 The occupiers of Caledon (to the east) have been specifically highlighted in this report given the occupiers concerns in relation to siting and proximity of the development, and particularly a three storey building (with a depth of around 6m) being within 5m of the shared boundary. An indicative 3D visualisation shows that the plane of the roof would be hipped and sloping away from the adjoining boundary. The eaves height at that point also appears to be two storeys. It is considered that this would not be an unacceptable relationship in a residential area, but this issue would be considered at the reserved matters stage when a detailed layout is proposed.

6.25 Concern has also been raised regarding the proximity of proposed car parking areas to existing adjoining properties, and a gap in the boundary which would lead onto Blue Haze at the northern end of the site. The gap in the boundary is not for vehicles. A planning condition would require details for control of the access for pedestrian and cycle use only, prohibiting vehicular comings and goings. Parking areas will be screened from existing adjoining residential areas by proposed boundary planting and landscaped buffers, which would help to mitigate noise disturbance and any light from the headlamps of vehicles.

6.26 Representations have also been made regarding the siting and use of the sports pitches and the associated noise and disturbance, how it will be managed and any flood lighting. Paragraph 3.9 of the amended planning statement (submitted by the applicant) confirms that the field/sports pitch would, when not being used as playing pitches, operate as an area of public open space. A mechanism will be put in place (through the Section 106 Legal Agreement) for the maintenance of the pitches and allow local clubs to use the facilities in the evenings (when light allows) and weekends. When not in use as sports pitches, the area will be available for all members of the public for recreational purposes. Any planning permission could include a condition to ensure that no floodlighting shall be installed without the prior permission of the Council. The hours of use will be managed through the S106 Agreement and a future maintenance regime.

6.27 The application is considered to be acceptable in terms of the effect on the living conditions of surrounding residents.

4) Highways

6.28 Following lengthy discussions and meetings between applicant's transport consultants and the Highway Authority (HA) at ESCC, the original recommendation of the HA to refuse planning permission has been withdrawn, and instead no objections, in principle, are raised to the application.

6.29 The HA have considered the application in terms of traffic generation onto the local highway network, the access arrangement on the A259, and parking provision on the site. A new mini-roundabout on the A259 is the preferred solution to ensure traffic enters and leaves the site safely, with minimal disruption to traffic flows on the A259. Subject to this being provided, the HA consider the application acceptable, in principle, on all counts.

6.30 Compared to the previous use of the site as a school, the applicants have contended that the proposals will result in a “vast” reduction in traffic generation, some 350 less trips in the morning and 51 less trips in the evening. The HA has agreed that the proposed development would, overall, generate less traffic than the potential existing education use of the site, although there would be an increase in traffic in the evening peak hours. The applicant has also demonstrated, to the satisfaction of the HA, that the proposed mini-roundabout will operate within capacity and therefore will not cause any adverse effects on the A259.

6.31 The details of an emergency access, off Manor Road North, will be reserved for the subsequent application to follow. However, droppable bollards are unlikely to be acceptable and a more substantial means of controlling access here would need to be provided to prevent normal vehicular access/egress. The applicant has confirmed that a suitable arrangement will be proposed at the reserved matters stage.

6.32 The HA at ESCC has also recommended that any planning permission should only be granted on the basis of additional mitigation measures relating to local public transport. These include financial contributions to improve passenger information and waiting facilities at local bus stops, in order to encourage residents of the housing to use the bus as an alternative to private car. Other measures include a new pedestrian crossing over the A259 and improvements to an existing pedestrian crossing in Alfriston Road (these crossings would help pedestrian access to local schools).

6.33 On-site parking provision would be established at the reserved matters stage, but the indicative layout demonstrates that parking can be provided to meet the ESCC parking guideline.

6.34 The Section 106 Agreement and a S278 (between the applicant and HA) would all be in addition to planning conditions to be added to any permission appropriate to a development of this scale.

5) Effect on sports provision

6.35 Sport England objects to the application because, it submits, the proposal is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

6.36 Should the Council be minded to grant planning permission for the proposal, contrary to Sport England's objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application will need to be referred to the Secretary of State, via the National Planning Casework Unit, for clearance.

6.37 As indicated above, the planning policy comments state that the following issues should be considered; infrastructure and loss of community facilities and services (CP7), and green infrastructure (CP8) para's 7 and 74 of the NPPF (sustainability and the provision of open space/buildings in relation to recreation).

6.38 CP7 (2) generally aims to resist the loss of community facilities unless (inter alia) an alternative facility of equivalent or better quality to meet community needs is available or will be provided in an accessible location in the same locality, or a significant enhancement to the nature and quality of an existing facility will result from the proposal. CP8 promotes 'green infrastructure', and aims to ensure that development maintains it, where appropriate. Para 7 of the NPPF refers to the need for development to reflect the community's needs and support its health, social and cultural wellbeing. Para 74 generally aims to resist

building on open space, sports and recreational land, unless such loss would be replaced by equivalent or better provision in suitable location.

6.39 The applicant's Planning Statement (paragraph 6.22) comments that the former playing fields have not been used since the school's closure in 2014. Furthermore, that their Sports Scoping Study concluded a *"limited number of external organisations were using the school facilities"* and since the school's closure the organisations previously accessing the site's facilities have relocated to other facilities or merged with neighbouring clubs. The applicant is therefore contesting that the sports facilities on the site were not utilised to their optimum potential, and it is considered that the housing together with the proposed replacement sports pitches is therefore acceptable.

6.40 The Council's Projects Co-ordinator for Parks comments that; *"The closing of the Newlands site affected, amongst others, the Premier United Football Club and although it has been accommodated to a lesser degree at the Salts Recreation Ground it has had a knock on effect with other clubs, including forcing the Rugby Club to train on their match pitch. If land was allocated to be retained for football pitches at the Newlands site it would be strongly desirable to provide a full size 11x11 football pitch that could double up as 2 junior pitches. It would also be essential to provide changing rooms for the teams. These essentially could be relatively basic. However, they should meet the Sport England standards for provision. In addition, for a club to remain sustainable and to create a home ground it would be desirable to have a clubhouse."*

6.41 The wider shortfall/surpluses in provision of outdoor play space have been calculated using the Fields in Trust (FiT) recommended level of provision, compared to the amount of current outdoor play space. The FiT benchmark standards were adopted by the Council for calculating the required provision of outdoor playing space in relation to new housing development in the Lewes District Local Plan 2003 and have been carried forward by the Submission Joint Core Strategy 2015 by LDC and the SDNPA.

6.42 The outdoor sports category includes, amongst other things, pitches in educational use, which are available for use by the public through formal community use arrangements.

6.43 The 2004 Lewes District Outdoor Playing Space Review and Informal Recreational Space Study (2005) both highlight an existing shortfall of existing sports facilities and informal recreational space (including natural & semi-natural greenspace and amenity greenspace) in the Seaford area.

6.44 As set out above, the thrust of both the national and local planning policy is to retain existing recreational and outdoor sports facilities. This is an important consideration in this planning application, given the identified existing shortfall of outdoor sports and recreational facilities within the town. Also, there are potential difficulties in finding alternative suitable land to provide new facilities.

6.45 The position is that replacement facilities cannot be readily delivered elsewhere in a suitable location. The allocated land for outdoor sports pitches, north of Alfriston Road (adjacent to Seaford Cemetery) in the Joint Core Strategy (under policy SF12) is land locked, with access difficulties. It is located within the South Downs National Park, and the Park Authority will review this land allocation as part of its own local plan process.

6.46 The application would deliver, on site, a full size 11 x 11 football pitch, that would double up as two junior pitches, with ancillary changing rooms and parking, as recommended by the Council's Project Co-ordinator for Parks. The pitches and open space area would be for public use and would also function as public open space. While not

wholly addressing the loss of all sports facilities which would be lost (which include a school sports hall), it is considered that this would be a satisfactory response to the loss of the existing sports and recreational facilities at Newlands School (balanced against the proportion of the site which would be developed for housing). In this respect the proposal is considered to comply with relevant policies CP7 and CP8 of the JCS and paragraphs 7 and 74 of the NPPF.

6.47 CIL monies will be generated which could, subject to the CIL bidding procedure, be used for projects identified in the District Council's CIL Regulation 123 List, including additional outdoor sports provision in Seaford. Projects such as improvements to existing outdoor sports facilities or contributions towards the provision of new facilities are examples of how CIL monies could be used.

6.49 As such, and whilst acknowledging the objection to the loss of sports provision on the site as raised by Sport England, it is considered that the proposal is acceptable in terms of the sports and recreational provision on the site. As indicated above, this issue would trigger reference of the application to the Secretary of State for clearance, given Sport England's objection.

6) Impact on the setting of the listed building – Sutton Place (Manor House)

6.50 The Design and Conservation Officer (DCO) raised concerns over the original proposal about the effect on the open setting of Sutton Place (Manor House), a grade II listed building situated to the western side of the application site, and the loss of outlook from that building. The concern was originally that Manor House historically benefited from some views through the treed frontage onto open fields beyond. The amended scheme has addressed the concerns of the DCO and he has now withdrawn his objection to the application. The amended scheme has omitted the proposed development to the western side of the spine road, which is adjacent to the listed building.

6.51 The applicants did seek to amend the scheme at the pre-application stage to accommodate the above concerns and a green buffer was created along the western boundary. However, that did not satisfactorily mitigate the harm caused to the setting of the listed building, and thus the proposal was further amended after the application was submitted.

6.52 The former school building is not a statutory listed building. Although a non-designated heritage asset, the heritage significance of the building is not considered to be high. However, it is considered that the proposal would not materially harm the setting of this building.

6.53 The proposal is considered to be acceptable in terms of its effect on heritage assets in the vicinity of and within the site.

7) Healthcare

6.54 Local residents have raised objections to the proposed housing development in relation to the impact on the existing healthcare provision in Seaford. It is considered to be at full capacity and this has been supported in comments received from Seaford Medical Practice and The Old School Surgery. The question is what weight, if any, the effect on local healthcare services can be given when determining the application?

6.55 The current situation is that the Eastbourne, Hailsham and Seaford Clinical Commissioning Group (CCG) and Hastings & Rother CCG acknowledge that both the Seaford Old School Surgery and Seaford Medical Practice are at capacity, but there are no

current proposals to expand the existing surgeries as a means of increasing primary care capacity in the town. This situation is confirmed in the Eastbourne, Hailsham and Seaford CCG and Hastings & Rother CCG Primary Care Strategy 2014-2019.

6.56 The Council can only spend CIL funds on specific infrastructure projects that are submitted through the approved bidding process. Whilst capital improvements to healthcare facilities are included in the Council's list of projects that may be eligible for funding by CIL, such projects will only be prioritised for CIL funding if they are clearly identified and programmed as part of the service provider's current strategic plan or capital programme.

6.57 A planning condition, if permission is to be granted, for improved health provision in Seaford, would fail to meet the six tests of acceptability for conditions, as set out in Paragraph 206 of the NPPF and expanded upon in the National Planning Practice Guidance. Specifically, it would not be practicably possible to enforce such a condition because it is concerned with a matter (the provision of primary health care services) over which the applicant has no control.

6.58 It is also important to note that, while Seaford Practices have expressed that they are at capacity, they have a 'good' rating in the Care Quality Commission (CQC) inspections, which indicates that the standard of services and provision is acceptable. Both practice lists are open to new residents in Seaford.

6.59 The issue of healthcare provision, and the effect of new housing on its services, is a matter for the relevant health service providers rather than the local planning authority. As such, little weight can be afforded to the effect on healthcare services in this application and, notwithstanding the local objections on this ground, there are no justifiable grounds for refusal on this issue.

8) Affordable Housing

6.60 The covering letter dated 16 September which accompanies the application firmly states that, *"the proposed planning application is in outline form and does not intend to fix the mix or tenure of the properties proposed. In addition, the number of affordable housing units will be based on up to 40% of the total number of dwellings proposed. The final number of units, and percentage of affordable housing, will not be finalised until subsequent reserved matters stage."*

6.61 That being said, the Indicative Testing Layout shows the provision of 73 affordable units (although, as 40% of 183 equates to 73.2 units, the Council's policy position would therefore require 74 affordable units to be provided, by rounding up the 73.2).

6.62 Notwithstanding this, the comments from planning policy state;

6.63 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."*

6.64 Even though this is an outline planning application, any resolution to grant planning permission would be on the basis of the prior completion of a Section 106 Agreement to secure the provision of up to 40% affordable housing, or 74 units. The S106 could acknowledge the possibility that, at the reserved matters stage, there may be sound reasons why 40% is not achievable, and could make provision for that eventuality if, in exceptional circumstances, the Council accept under 40% at that stage.

6.65 CP1 states that as a guideline the affordable housing split will be 75% affordable rented and 25% intermediate (shared ownership). However, the policy states that the LPA will negotiate the appropriate tenure split on a site by site basis, based upon the latest evidence of needs in the site locality. The Housing Policy Officer has advised that the Council may be likely to seek a 50/50 tenure split. Housing Association feedback demonstrated that the rented tenure is becoming less viable and the 75/25 split may be unlikely to be deliverable. At this outline stage the split between rented/shared ownership is unknown. The outline planning application will secure the affordable housing in principle, but the details of tenure would be a matter for a subsequent agreement.

6.66 CP1 also states that the affordable housing units will be integrated throughout the development site, be indistinguishable in design and materials from the market housing on the site and remain affordable in perpetuity. This will be secured through the S106 Agreement. The detail of the affordable housing will be provided for the reserved matters application which would follow an outline approval.

9) Trees and Landscape

6.67 The Tree and Landscape Officer (TLO) has not objected to the application. Conditions have been recommended should planning permission be granted. The TLO commented on the amended proposal that;

6.68 *"There is a range of alterations made in response to concerns raised during the course of negotiations, much of which can be considered improvements to the scheme as a whole.*

6.69 *I note that some planting, albeit indicatively, is shown to be located within the private domestic gardens. This is to be avoided as it will lead to conflict with future residents. Communal areas and strategic planting areas including existing and new tree planting should be located outside private domestic curtilages and managed collectively by a separate management company to stated aims and objectives.*

6.70 *The design of landscaped areas should incorporate adequate access for maintenance and be positioned to minimise conflict with future residents. Whilst this is predominately the case over much of the site, this does not appear to have been achieved with the line of trees located at the rear of properties in Farm Close and identified as G85 of the Tree Survey. This group of trees will be subject to piecemeal management by individual residents and this will result in the erosion of the screening function of this group of trees."*

6.71 However, as indicated throughout the report, this is an outline application informed by an indicative layout. The details will be reserved for the subsequent application, when trees and landscape issues can be considered in more detail. Conditions can require the replacement of landscaping features which are lost after their initial provision.

6.72 The indicative landscaping proposals at this stage, which show planting around much of the perimeter of the site, are considered to be acceptable.

10) Wildlife

6.73 The applicants have submitted an ecological impact assessment, which concludes that there is no evidence of badger activity either within the application site boundary, or within 30m from the survey area boundary. The site is not a designated SSSI

or SNCI, and is not known to harbour protected species or their habitat. Separate wildlife protection legislation would, however, apply to construction activity and timing, and the onus is on the applicant to ensure that such legislation is complied with.

6.74 If planning permission is granted, a planning condition could be added to request further details and mitigation measures should this be necessary.

11) Drainage/SUDS

6.75 ESCC, as Drainage Authority, has no objection in principle, subject to the imposition of planning conditions.

6.76 A Landscape Concept Framework (drawing no. BNL.0697_18 Rev K) illustrates the proposed indicative SUDS basins, either side of the spine road and adjacent to the A259. This is one of the possible ways of sustainably draining the proposed development. The applicant anticipates that an efficient and effective SUDS design will form part of the reserved matters application, but this design can only be formulated once a detailed layout is prepared, with associated infiltration testing and engineering input at that time.

6.77 On the basis of this outline application and the information provided, it is concluded that the site can be satisfactorily drained. A condition requiring drainage details can be imposed on any permission.

12) S106 and CIL

6.78 Any planning permission would be subject to the satisfactory completion of a Section 106 Agreement to secure the provision of up to 40% affordable housing, offsite highway works, to provide for the delivery and future maintenance of the sports pitches to FA technical standards and the changing rooms to Sport England standards for provision, and kerbside recycling, prior to the first occupation of the development proposed.

13) Conclusion

6.79 The Joint Core Strategy (JCS) and relevant policies therein, is the adopted development plan for the Lewes district and as such is given full weight. The proposed scheme would have many benefits, including the provision of much needed housing, up to 40% of which will be affordable to meet specific housing needs. It is also recognised that the site utilises vacant brownfield (previously developed) land, has regard to the setting of the listed building to the west and retains the main school building. Furthermore, the application has accommodated replacement sports provision and open space, to create a parkland setting which maintains vistas from the A259 of the existing school building. The proposal, it is considered, constitutes sustainable development within the terms of the NPPF. It is further considered that the revised scheme is a satisfactory balance between housing and open space on the site, which does not harm the local character of the locality or living conditions of nearby residents.

6.80 With all this taken into account it is considered that the application proposal is acceptable and complies with the relevant planning policies. As such, it is considered that the proposed development should be granted planning permission.

7. RECOMMENDATION

That the Director of Planning and Regeneration be authorised to grant permission, subject to:

A: Clearance from the Secretary of State (via Planning casework Unit);

B. Satisfactory completion of a Section 106 Agreement to secure:

1. The provision of 40% affordable housing, or up to 40% should exceptional circumstances apply which demonstrate that 40% is not reasonably achievable at the reserved matters stage;
2. Off-site highway works. to include provision for a S278 Highway agreement to cover the physical works summarised below
 - i. New mini-roundabout on Eastbourne Road [A259];
 - ii. New controlled crossing facility on Eastbourne Road A259 [to be agreed] to the west of the proposed access road to the site together with associated dropped kerbs/tactile paving;
 - iii. Upgrading of existing Zebra Crossing on Alfriston Road to a Toucan;
 - iv. Improvements to Sutton Road westbound bus stop to include DDA compliant kerbing;
 - v. Improvements to Manor Road Eastbound Bus Stop to include DDA compliant kerbing and extending/improving layby as necessary;
 - vi. Contribution of £5,000 for carrying out consultations, site notices etc for bus stop clearways at 3 bus stops and for any Traffic Regulation Order that may be required as a result of the development;
 - vii. Contribution of £37,500 for Real-time Passenger Information Signs at 3 bus stops.
 - viii. together with associated 4 stage Road Safety Audits, and
3. To facilitate the provision of sports pitches, ancillary changing rooms and parking in addition to a future maintenance regime, and
4. Financial contribution towards kerbside recycling

C. Conditions as set out below (or as modified/added to) at the discretion of the Director Planning and Regeneration, as appropriate) before permission is issued.

The application is subject to the following conditions:

1. A phasing plan for construction of the development shall be submitted to and approved by the Planning Authority prior to commencement of the development hereby permitted. Prior to the commencement of any work on any phases the respective planning conditions, which are worded, prior to the first occupation (8, 18, 21, 22, 23, 24 and 26), shall be discharged.

Reason: To allow this large development to be constructed and occupied in phases in accordance with the advice contained within the National planning Policy Framework.

2. Before the development hereby approved is commenced on site, details/samples of all external materials including rainwater goods 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 CP11 of the Joint Core Strategy and ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed prior to the first occupation or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enhance the general appearance of the development 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. The development shall not commence until details of a drainage strategy (detailing the proposed means of foul and surface water sewerage disposal and an implementation timetable) to be submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker and Southern Water. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: In the interests of road safety and to prevent surface water/sewerage draining onto the public highway 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. 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 Lewes District Council 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 Planning Authority. Changes in maintenance responsibility could result in different design standards, which affect flood risk.

Reason: To ensure a suitable filtration system is in place in accordance with the National Planning Policy Framework.

6. Additional groundwater monitoring should be carried out during the details design of the infiltration systems. The groundwater monitoring should incorporate the months covering autumn, winter and spring. The design of the infiltrations systems should be such that there is at least 1m unsaturated zone between the base of the infiltration structure and the highest recorded groundwater level.

Reason: To ensure a suitable filtration system is in place in accordance with the National Planning Policy Framework.

7. The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

Reason: To ensure a suitable filtration system is in place in accordance with the National Planning Policy Framework.

8. 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 ensure a suitable filtration system is in place in accordance with the National Planning Policy Framework.

9. Infiltration systems at the site should be at locations whose infiltration rate was determined by infiltration testing in accordance with the BRE365 and to depth commensurate with the testing. Evidence of this should be provided with the surface water drainage strategy at Reserved Matters stage. If infiltration systems are interconnected, the supporting hydraulic calculations should replicate this while demonstrating that all surface water runoff will be managed through infiltration without flooding for all rainfall events including those with a 1 in 100 (plus 40% for climate change) annual probability of occurrence.

Reason: To ensure a suitable filtration system is in place in accordance with the National Planning Policy Framework.

10. Any works or deliveries in connection with this permission shall be restricted to the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of the amenities of the adjoining residents having regard to ST3 of the Lewes District Local Plan and CP13 of the Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. A landscape management plan for communal, shared and open spaces, including short and long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plans shall be carried out as approved.

Reason: To enhance the general appearance of the development 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.

12. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first planting season or in accordance with the programme approved in writing with the Local Planning Authority.

Reason: To enhance the general appearance of the development 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.

13. No development shall take place until an arboricultural method statement, to include details of all works within the root protection area, or crown spread [whichever is greater], of any retained tree, has been submitted to and agreed in writing by the District Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the District Planning Authority.

Reason: To enhance the general appearance of the development 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.

14. 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.

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.

d) 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) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Council. This shall include any requirement for arboricultural supervision.

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: To protect the existing trees on the site and in the interest of local amenity 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.

15. 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.

16. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [15] and that provision for analysis, publication and dissemination of results and archive deposition has been secured, unless an alternative timescale for submission of the report is first agreed in writing with 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.

17. Development shall not begin until details of finished floor levels in relation to the existing ground levels have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with these details.

Reason: In the interest of residential amenity and the character of the locality 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 road(s), footways and parking areas serving the development have been constructed, surfaced, drained and lit 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 in accordance with policies ST3 of the Lewes District Local Plan, CP11 of the Joint Core Strategy and the advice contained within the National Planning Policy Framework.

19. 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,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and egress and routeing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- 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),
- 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.

20. No development shall take place, including demolition, on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details provided to and approved in writing by the Local Planning Authority and such facility shall be retained in working order and utilised throughout the period of work on site to ensure the vehicles do not carry mud and earth on to the public highway, which may cause a hazard to other road users.

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 the car 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 in accordance with ST3 and T1 of the Lewes District Local Plan and the National Planning Policy Framework.

22. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with details submitted to and approved in writing by the Local Planning Authority. This space shall thereafter be retained at all times for this use and shall not be obstructed.

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 part of the development shall be occupied until covered and secure cycle parking spaces 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 having regard to ST3 of the Lewes District Local Plan and CP13 of the Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

24. No part of the development shall be occupied until such time as the vehicular access arrangement has been constructed in accordance with plans and details to be approved with the Planning Authority and until visibility splays of 2.4 metres by 90 metres have been provided at the proposed site vehicular access onto Eastbourne Road [A259] 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.

25. 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 in accordance with ST3 of the Lewes District Local Plan and the National Planning Policy Framework.

26. No part of the development shall be occupied until such time as the redundant sections of the existing vehicular access onto Eastbourne Road [A259] has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety having regard to ST3 of the Lewes District Local Plan and CP13 of the Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

27. 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, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason (common to all): 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 off site receptors [in accordance with National Planning Policy Framework, sections 120 and 121].

28. Buildings constructed or refurbished before 2000 may contain asbestos. Accordingly a Demolition asbestos survey should be undertaken by a competent person in accordance with the guidance given in HSG264 Asbestos: The survey guide. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos.

Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised 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 12.0 and 12.1].

29. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- The size of vehicles (contractors and deliveries);
- The routing of vehicles (contractors and deliveries);
- Contractors parking and travel plan;
- Temporary site security fencing;
- Lighting;
- Measures to control the emission of dust and dirt during construction (including wheel washing facility);
- Loading and unloading of plant and materials;
- Storage of plant and materials used during construction;
- The location of any site huts/cabins/offices.

Reason: To ensure safe and neighbourly construction having regard to ST3 of the Lewes District Local Plan and CP13 of the Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

30. No demolition, site clearance or building operations shall commence until tree protection details, relating to all stages of development, for the protection of all trees, hedges and shrubs to be retained on site, and those trees off site where root protection areas extend into the site, has been submitted to and approved in writing by the District Planning Authority. These details shall observe the principles embodied within BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations), shall be implemented prior to any works commencing on site, shall be retained during the course of development, and shall not be varied without the written agreement of the District Planning Authority.

Reason: To enhance the general appearance of the development 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.

31. Details of any future floodlighting of the sports pitches shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of both local and residential amenity 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.

32. The sports pitches and ancillary changing rooms hereby permitted shall meet or exceed the Football Associations Grass pitch quality performance standard under the technical standards required by the Football Association and Sport England standards for provision which can be found on their websites.

Reason: To ensure a high quality pitch and appropriate facilities are provided to satisfy the requirements of Sport England in accordance the National Planning Policy Framework.

INFORMATIVE(S)

1. 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.

2. 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>

3. The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

4. Many key wildlife species rely on buildings and other ancillary structures for their nesting and roosting sites. Modern building design is reducing these opportunities and is a key factor in the decline of many species. The development hereby approved may present an opportunity to incorporate biodiversity enhancements such as nest boxes and ledges and should therefore be considered and encouraged. For further information and advice please contact The Sussex Ornithological Society (www.sos.org.uk); the RSPB (www.rspb.org.uk); or the Bat Conservation Trust (www.bats.org.uk). Please note - if the property is a listed building additional consents may be required.

5. Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk

6. The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.

7. 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.

1. The applicant is advised to contact the Transport Development Control Team (01273 482254) in order to commence this process.
2. 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.
3. 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.
4. The applicant's attention is drawn to the requirement for the temporary access to the site [see conditions above]. Whilst there is an existing access which the applicant may wish to use for construction vehicles, this access in its present form may not be adequate and would require alterations/improvements for construction vehicles.

8. Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

9. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

10. The applicant be reminded that no land or buildings have been identified as being owned or occupied by BT or Telereal Trillium within the application site boundary edged in red and this advice does not extend to BT's telecommunications apparatus located in the public highway or under private land, nor does it include BT's deep level tunnels. To check the location of BT's network, enquiries should be made direct to the Openreach Maps by Email Service which can be found at the following URL:
<http://www.openreach.co.uk/orpg/home/contactus/avoidingnetworkdamage/avoidingnwdamage.do>

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Technical Report	23 September 2016	1064 ECOLOGICAL IMPACT ASSESSMEN
Proposed Layout Plan	28 June 2017	1509-42 PL03A PRIORITY JUNCTION
Proposed Layout Plan	28 June 2017	1509-42 PL04A ROUNDABOUT JUNCTIO
Proposed Layout Plan	28 June 2017	1509-42 SP08 ROUNDABOUT LARGE CAR
Proposed Layout Plan	28 June 2017	1509-42 SP09 SWEPT PATH LARGE CAR
Transport Assessment	23 September 2016	1509-42/TA/01B
Transport Assessment	28 February 2017	1509-42/TN/07C ADDENDUM
Transport Assessment	23 September 2016	1509-42/TP/01B PLAN
Technical Report	23 September 2016	64198R2-REV1 GEO-ENV
Flood Risk Assessment	28 February 2017	70015513 APPENDIX A
Flood Risk Assessment	28 February 2017	70015513 APPENDIX B
Flood Risk Assessment	28 February 2017	70015513 APPENDIX C
Flood Risk Assessment	28 February 2017	70015513 APPENDIX D1
Flood Risk Assessment	28 February 2017	70015513 APPENDIX D2
Flood Risk Assessment	28 February 2017	70015513 APPENDIX D3
Flood Risk Assessment	28 February 2017	70015513 APPENDIX D4
Flood Risk Assessment	28 February 2017	70015513 APPENDIX D5
Flood Risk Assessment	28 February 2017	70015513 APPENDIX D6
Flood Risk Assessment	28 February 2017	70015513 APPENDIX E
Flood Risk Assessment	28 February 2017	70015513 FEBRUARY 2017
Additional Documents	7 November 2016	70015513/SR/SK RESPONSE DRAINAGE
Biodiversity Checklist	23 September 2016	BIODIVERSITY CHECKLIST
Design & Access	28 February 2017	BNL.0367_36 C ADDENDUM

Statement

Additional Documents	16 September 2016	BNL.0697 160915 COVERING LETTER
Planning Statement/Brief	28 February 2017	BNL.0697 AMENDED PROPOSAL
General	23 September 2016	BNL.0697.01 COMMUNITY INV. STATE
Planning Statement/Brief	23 September 2016	BNL.0697.4
Location Plan	23 September 2016	BNL.0697_01 E
Other Plan(s)	10 August 2017	BNL.0697_13 T SHEET 2
Proposed Layout Plan	28 February 2017	BNL.0697_17 Q
Other Plan(s)	4 August 2017	BNL.0697_17 R
Landscaping	28 February 2017	BNL.0697_18 J
Landscaping	4 August 2017	BNL.0697_18 K
Design & Access Statement	23 September 2016	BNL.0697_22 D
General	28 February 2017	BNL.0697_BHA_FEBRUARY 2017
Tree Statement/Survey	23 September 2016	BNL.0697_TS AIA TPP
Technical Report	23 September 2016	CC/20880 ARCHAEOLOGICAL DBA
General	23 September 2016	REF:779/NSS SPORTS SCOPING STUDY
General	23 September 2016	UTILITIES STATEMENT REV2 SIGNED