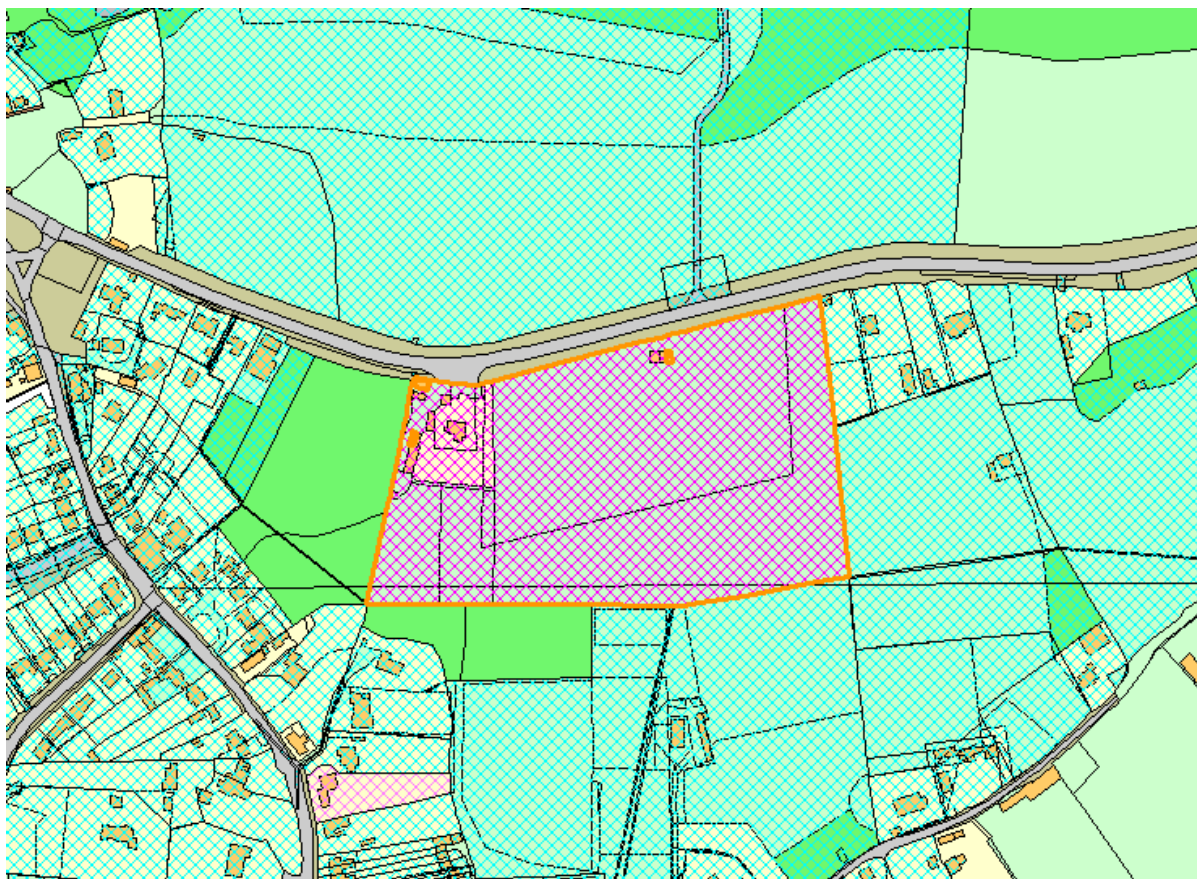


<b>APPLICATION NUMBER:</b>	LW/18/0351		
<b>APPLICANTS NAME(S):</b>	P Wood, J Wood & C Wood	<b>PARISH / WARD:</b>	Newick / Newick
<b>PROPOSAL:</b>	Planning application for demolition of Oakeside and the erection of 69 residential homes, with associated access, car parking, cycle parking, refuse/recycling storage, landscaping and infrastructure		
<b>SITE ADDRESS:</b>	Woods Fruit Farm Goldbridge Road Newick East Sussex BN8 4QP		
<b>GRID REF:</b>			



## **1. SITE DESCRIPTION / PROPOSAL**

1.1 The application site lies to the north east of the village, on the southern side of the A272, and covers an area of approximately 3.7 hectares. The site currently accommodates a single detached dwelling, close to the western boundary, with a number of outbuildings, set within a large residential plot. The remainder of the site is grassland with a derelict farm building located close to the northern boundary. There are a few trees, largely around the periphery of the site or around the dwelling house. The site boundary consists of mature mixed hedging.

1.2 The site is located outside of the defined settlement boundary and abuts the Newick Conservation Area at the south west corner of the site. The nearest residential dwellings are located adjacent to the eastern boundary and close to the south west corner of the site. The western part of the development site is identified and allocated within the Newick Neighbourhood Plan for housing (Policy H04 for 39 dwellings).

1.3 The proposal is seeking permission to construct 69 new dwellings of which 40% (28) would be affordable - 16 flats (10 x 1 bed and 6 x 2 bed) and 6 x 2 and 6 x 3 bed houses, whilst the private housing would consist of 9 x 2 bed, 22 x 3 bed and 10 x 4 bed houses. The scheme will also provide car parking, cycle storage, landscaping and open space.

## **2. RELEVANT POLICIES**

**LDLP: – CP1 – Affordable Housing**

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

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

**LDLP: – CP14 – Renewable and Low Carbon Energy**

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

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

**LDLP: – DM1 – Planning Boundary**

**LDLP: - DM24- Protection of biodiversity and geodiversity**

**LDLP: - DM25 - Design**

**LDLP: - DM27 – Landscape Design**

**LDLP: – NNPH11 – HO1.1-New Housing Design**

**LDLP: – NNPH12 – HO1.2 -New Housing Materials**

**LDLP: – NNPH13 – HO1.3-New Housing Height**

**LDLP: – NNPH14 – HO1.4-New Housing Size**

**LDLP: – NNPH15 – HO1.5-New Housing Parking**

**LDLP: – NNPH41 – HO4.1-Housing Site**

### 3. PLANNING HISTORY

**E/57/0709** - Outline Application to erect ten dwelling houses. - **Refused**

**EV/63/0006** - Two advertisement boards. - **Approved**

**E/56/0085** - Planning and Building Regulations Applications for proposed addition. Building Regulations Approved. Commenced. - **Approved**

**LW/18/0351** - Demolition of Oakside and the erection of 69 residential homes, with associated access, car parking, cycle parking, refuse/recycling storage, landscaping and infrastructure -

**E/63/0023** - Formation of additional vehicular access with lay-by. - **Approved**

**E/57/0709** - Outline Application to erect ten dwelling houses. - **Refused**

**EV/63/0006** - Two advertisement boards. - **Approved**

**E/56/0085** - Planning and Building Regulations Applications for proposed addition. Building Regulations Approved. Commenced - **Approved**

**LW/16/0058** - Retention of a double sided panel sign and a proposed single sided panel sign with matching design/lettering - **Approved**

**LW/18/0351** - Demolition of Oakside and the erection of 69 residential homes, with associated access, car parking, cycle parking, refuse/recycling storage, landscaping and infrastructure -

**E/68/0909** - Planning and Building Regulations Applications for domestic boiler house. Building Regulations Approved. Completed. - **Approved**

**E/63/0023** - Formation of additional vehicular access with lay-by. - **Approved**

**LW/01/0242** - Part two storey, part single storey rear extension - **Approved**

### 4. REPRESENTATIONS FROM STANDARD CONSULTEES

**British Telecom** – I write in response to your letter dated 9th May regarding the above property and advise that BT are keen to receive further information, based on the location of the demolition of Oakside and the erection of 69 residential homes near BT's Telephone Exchange, Newick, Goldbridge Road.

Using the property postcode, the site of this demolition appears to be less than 300 ft. from BT's site and I am mindful of BT's underground equipment also being affected.

I have therefore sent a copy of this letter and your documentation to the following email address for the network teams' information and look forward to receiving updates regarding this demolition as appropriate.

**Environmental Health** – I am aware that a site investigation report has been prepared by Geo-environmental (dated 17 May 2017 report ref: GE15497-GIRv2.0-MAY17) and submitted with the planning application, which identified the need for remediation at the site. I am also aware that some demolition activities are involved at the site.

If LPA is minded to grant a planning permission, then considering the information available to me, following land contamination conditions are pertinent:

### Condition 1 Land contamination

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

(a) Further site investigation scheme, based on Geo-environmental report (dated 17 May 2017, report ref: GE15497-GIRv2.0-MAY17) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(b) The site investigation results and the detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

### Condition 2 Unsuspected contamination

If, during development, contamination not previously identified is found to be present at the site then no further development 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.

### Condition 3 Verification report

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

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

### (2) Construction environment management plan

No development shall take place, including any works of demolition, until a Construction Environment Management Plan has been submitted to, and approved in writing by the local planning authority. The Construction Environment Management Plan shall provide for:

- i) traffic management in the adjoining highways;
- ii) site operatives' travel plan;
- iii) the parking of vehicles of site operatives and visitors;
- iv) loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing the development;
- vi) the erection and maintenance of security hoarding;
- vii) measures to control all environmental effects of the development including artificial illumination, noise, vibration, dust, air pollution and odour, including the effects of decontamination, and site illumination during construction.

The approved Construction Environment Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of amenity of the locality

### **ESCC Highways – Executive Summary**

ESCC's consultation response dated 7 June 2018 recommended that consent be refused for this application on the grounds of inadequate vehicle parking facilities within the site, insufficient information on cycle parking facilities within the site and insufficient information in relation to the necessary pedestrian and public transport facilities required to serve the development.

In response the applicant submitted a Technical Note, including amended plans and a Framework Travel Plan, with the intention of addressing the above concerns. In August 2018, the County Council provided a formal response to the submitted documents, retaining the original objection due to issues related to parking, footway provision, public transport connectivity, and the submitted Framework Travel Plan.

Following the County Council's response, the applicant has submitted additional information, including amended plans and a new Technical Note dated December 2018. The comments below should be read in conjunction with the County Council's previous responses.

I have reviewed the amended proposals and would not object to this application on highways grounds, subject to conditions and appropriate legal agreements.

#### **Comments**

##### **Walking and Cycling**

As set out in the County Council's previous comments; to encourage walking and cycling to and from the site the developer should widen the existing southern footways of the A272 to a minimum of 2m along the site edge and towards the A272/The Green junction. Drawing 2018/4221/011RevA submitted as part of the latest proposals shows the proposed footway improvements along the site boundary.

The full extent of the southern footway widening towards the A272/The Green junction should be discussed and agreed between the Highway Authority and the applicant, and then secured under a s278 agreement.

### Public Transport

Drawing 2018/4221/011RevA shows two new bus stops located on the A272, adjacent to the site access. The drawing further shows a pedestrian crossing across the A272 to help pedestrians access the northern bus stop, as well as a 2m footway on the north side of the A272.

The provision of these bus stops and the associated pedestrian infrastructure is welcomed by the County Council as they are considered essential to the success of the development and should be secured through an s278 agreement. The Technical Note submitted by the applicant sets out how the current iteration of the bus stop design does not fully comply with guidance as set out in the Design Manual for Roads and Bridges (DMRB). Nevertheless, further discussions between the County Council and the applicant have resulted in an acceptable design, subject to the resolution of any safety concerns raised in the Stage 1 Road Safety Audit. The resolution of these issues can be covered through the detailed design and s278 agreement process.

### Car and Cycle Parking

The on-site car parking arrangements have been amended to be in line with the ESCC car parking demand calculator and are generally in line with the County Council's standards. The proposed parking arrangements are therefore considered acceptable.

Cycle parking in line with 2017 ESCC 'Guidance for Parking at New Residential Developments'. Should be secured through a condition as part of any planning permission for the site.

### Refuse and Servicing Arrangements

Drawings 2018/4221/005, 2018/4221/008, and drawing 2018/4221/004 show that a refuse vehicle will be able to access and egress the site in forward gear and that the proposed site access road is wide enough to allow a refuse vehicle and a private car to pass one another. It is therefore considered that the proposed design is acceptable.

As the Local Authority, Lewes District Council's Waste Management Team should satisfy themselves that the proposed collection arrangements are acceptable.

### Travel Plan

The amended Framework Travel Plan submitted by the applicant is considered to be sufficiently committal and in line with the County Council's standards. The monitoring of the travel plan for the first five years of the travel plan is considered acceptable and should be secured through condition.

A Travel Plan Audit fee for £6,000 would be required, to be secured by a S106 agreement.

### Conclusion

The additional information supplied by the applicant shows that the proposed development is generally in line with the County Council's standards and guidelines and is unlikely to have a severe impact on the local highway network. The proposed improvements should be secured through s106 and s278 legal agreements as well as the appropriate conditions. I would therefore not object to the proposed development on highways grounds, subject to a s106 agreement to secure the Travel Plan fee (£6000) and highway works (site access, the provision of new bus stops, pedestrian crossing, right-turn lane and improvements to the footway along the A272) by s278 agreement, and the following conditions.

(The conditions have been included in the draft decision and can be viewed online).

**Natural England** – The application site is within 7km of Ashdown Forest SPA and SAC and as such has the potential to impact on the designated site through increased recreational pressure. As your authority has measures in place to manage these potential impacts through the agreed strategic solution, subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential effects of the development on the site and that the proposal should not result in a likely significant effect.

**ESCC SUDS** – No objection. The information provided is satisfactory and enable the LLFA to determine that the proposal development is capable of managing flood risk effectively. Although there will be a need for standard conditions which are outlined in this response.

(A full copy of the response is available to view online).

**Main Town Or Parish Council** – At the meeting, Councillors noted the letters already received from a number of residents and the valid points that had been made in these letters, including that raised by a member of the public present at the meeting who referenced a letter dated 26th October 2016 from Lewes DC to the applicant stating that the proposals were unlikely to be supported unless the land to the east of that allocated in Neighbourhood Plan Policy H04 had been subsequently allocated for development in the Lewes District Local Plan Part 2.

It was unanimously agreed to object to this planning application on the following grounds:-

- Although part of the site is allocated under policy H04 of Newick's Neighbourhood Plan, the proposal includes further land to the east which is not allocated either in the Newick Neighbourhood Plan or the Lewes District Local Plan Part 2. If this land were to be used for development it would be outside the development boundary and contrary to Newick Neighbourhood Plan policy H01.4 and Lewes District saved policy CT1.

- Newick Neighbourhood Plan and Lewes District Local Plan Part 2 have allowed for 100 new homes in Newick and sites have been allocated for this number of additional homes following lengthy preparation and consultation with local residents. There is no good reason why Newick should have to accept an additional 30 homes on this site over and above what has been planned for, particularly in view of the fact that the adjacent site to the west (H03 in Newick Neighbourhood Plan) is earmarked for the development of up to 30 new homes.

- If this development is allowed to proceed regardless of the planning and consultation referred to in the previous paragraph, it would create a precedent for other sites around the village that are not currently allocated for development and in which developers are known to have an interest to come forward, potentially resulting in uncontrolled expansion of the village.

- The consultation process referred to in paragraph 4.3 of the applicant's Planning Statement was extremely limited and inadequate as very few residents who would be impacted by the proposed development had been included in the leaflet drop.

- The parking provision is inadequate for the number of homes and contrary to Newick Neighbourhood Plan policy H01.5.

- The density of housing on the western side of the site is considered to be too high.

- As highlighted in East Sussex County Council's letter of 18th May 2018, the applicant has failed to provide sufficient information in respect of surface drainage and flood risk.

If this application is to be considered by Lewes District Council's Planning Application Committee, Newick Parish Council would like to be represented. Please ensure that the Parish Council is advised of the date of the relevant meeting when this is known.

### **LDC Planning Policy Comments**

This planning application should be considered against the policies of the adopted 2016 Lewes District Local Part 1: Joint Core Strategy (LPP1) together with the retained 'saved'

policies of the 2003 Lewes District Local Plan (LDLP) as listed in Appendix 2 of the LPP1, so far as they are consistent with the National Planning Policy Framework (NPPF), the Newick Neighbourhood Plan (NNP) and the NPPF itself. It should also be noted that the Local Plan Part 2: Site Allocations and Development Management Policies DPD (LPP2) is a material consideration and has now reached the stage where substantial weight can be given to a number of policies.

The application is for full planning permission for a residential development of 69 dwellings. From a planning perspective, the following issues should be considered when determining the above planning application:

- o Development outside the planning boundary (CT1 and DM1);
- o District Council's five year housing land supply;
- o Newick Neighbourhood Plan (Policies HO1 and HO4); and
- o Ashdown Forest 7km Zone (Core Policy 10).

#### Development in the countryside

The application site is located approximately 100m east of the built edge of Newick. The site is, as amended by the Newick Neighbourhood Plan, partially outside the planning boundary. Policy CT1 and LPP2 Policy DM1 therefore apply. Policies CT1 and DM1 seek to restrict development outside the planning boundaries except in very specific circumstances, the criteria for which is set out within the Policies. It is not considered that the proposal meets any of these criteria. Development of this site is therefore contrary to retained 'saved' Policy CT1 and Policy DM1.

#### Housing land supply

Paragraph 73 of the NPPF (2019) requires local planning authorities to identify a five year supply of deliverable land for housing. As at 1st April 2019, the Council is able to demonstrate a supply of deliverable housing land equivalent to 5.59 years (a surplus of 207 units) outside the South Downs National Park (SDNP) and against its separated housing requirement figure (minimum 5,494 net dwellings). Further information on the Council's five year housing land supply position can be found in the published Note .

The latest housing land supply position is calculated in the context of the publication of Government's Housing Delivery Test results in February 2019. The HDT compares the number of houses delivered against the housing requirement over the last three year period. Depending on the outcome certain actions must be implemented.

Government's February HDT result for Lewes was 50%, requiring an Action Plan to be prepared and a 20% buffer to be applied to the five year housing land supply calculation. However, the Council raised significant concerns regarding their calculation, namely that it had failed to recognise that the Council has an up-to-date Plan and the incorrect housing requirement figure had been used. Following the consideration of evidence put forward by the Council, Government has reissued the HDT figure for Lewes (outside the South Downs National Park). The revised HDT result is 86%, thereby only requiring an Action Plan to be prepared. Both the letter from Government setting out the revised HDT figure and the Council's Action Plan can be found on the Council's Housing Delivery Test webpage .

As such, relevant policies within the Development Plan, including the Local Plan and neighbourhood plans, are considered up to date. Decision making on planning applications should therefore be made against policies within the adopted development plan.



## Newick Neighbourhood Plan

The Newick Neighbourhood Plan (NNP) was 'made' (adopted) on 16 July 2015 and is therefore part of the development plan. The NNP sets out a number of planning policies and four housing site allocations (HO2, 3, 4 and 5) for a total of 100 net additional dwellings. HO2 to the north of Newick is complete, HO3 and 4 are located to the east and HO5 is within the built up area and has extant planning permission. Spatial Policy 2: Housing Distribution of the LPP1 requires a minimum 100 net additional dwellings to be delivered at Newick over the Plan period.

The western half of the application site forms part of the NNP housing allocation Policy HO4, identified for 38 (net) dwellings. The application proposal extends the site approximately 100m to the east and increases the number of dwellings by 31. The application is therefore inconsistent with HO4, albeit it is acknowledged that the NNP has sought to locate new development broadly within this area due to its proximity to village services.

Policies HO1 and TC1 may also be considered important to making the decision on the planning application. The criteria of HO1 relate to the design and density of new housing development etc. and TC1 relates to provision for sustainable transport within new development.

## Ashdown Forest 7km Zone

The application site is located entirely within the Ashdown Forest 7km mitigation zone. The Ashdown Forest is designated as a Special Protection Area (SPA) and a Special Area of Conservation (SAC).

Core Policy 10 of the Joint Core Strategy seeks to ensure that the Ashdown Forest (SAC and SPA) is protected from recreational pressure, and that residential development that results in a net increase of one or more dwellings within 7km of the Ashdown Forest will be required to contribute to:

- i. The provision of Suitable Alternative Natural Greenspaces (SANGs) at the ratio of 8 hectares per additional 1,000 residents; and
- ii. The implementation of an Ashdown Forest Strategic Access Management and Monitoring Strategy (SAMMS).

A SANG, Reedens Meadow, located at Jackies Lane, Newick was completed earlier this year and is now fully operational. To secure the SANGs long term costs a tariff is currently being developed by the Council. Until this has been finalised a 'capped SANG tariff', at £5,000, per dwelling is in place. A financial contribution rate towards SAMMS of £1,170 per dwelling has also been set. This is identified within the Tariff Guidance Note agreed between Lewes, Wealden and Tandridge District Councils. These mitigation measures need to be considered within an Appropriate Assessment (AA) for the application site, which has now been undertaken by the Council. The AA concludes that there should be no adverse effects on the integrity of the Ashdown Forest from recreation impacts from this development either alone or in combination with other plans and programmes if the mitigation measures as detailed above are secured.

Further to a High Court Challenge to the Council's Habitat Regulations Assessment in respect of air quality impacts on the Ashdown Forest, the Council has undertaken a robust Appropriate Assessment (AA) of air quality impacts on the Ashdown Forest SAC (2018 HRA Addendum). This work has been reviewed and endorsed by Natural England; it assesses all planned (LPP1, Local Plan Part 2 and Neighbourhood Plans) and known

development (as at April 2018) coming forward up to 2030, including the Neighbourhood Plan allocation of Woods Fruit Farm for 38 dwellings and concludes no adverse effect on the integrity of the SAC.

The applicant has submitted an AA of the air quality impacts of the additional 30 dwellings proposed by the application that builds upon the Council's 2018 HRA Addendum. AECOM has factored in the additional AADT to the transport model developed for the Council's AA and used the same methodology to calculate the air quality impacts. The Applicant's AA concludes that for NO<sub>x</sub> the additional 30 dwellings makes a negligible contribution to concentrations at the closest areas of heathland and the NO<sub>x</sub> concentrations and nitrogen deposition rates on even the most affected link (the A22 at Wych Cross) are essentially the same as forecast in the Council's AA. On all other transects, the contribution of the additional 30 dwellings at the nearest area of heathland is too small to show in the air quality calculations.

The conclusion of the applicant's AA is that the application proposal will not result in an adverse effect on the integrity of Ashdown Forest SAC either on its own or 'in combination' with other plans and projects, this can be considered robust.

### Summary

The proposed development is located partially outside the planning boundary, therefore it is contrary to retained 'saved' policy CT1 and Policy DM1 which should now be given substantial weight in the decision making process. As at 1st April 2019, the Council is able to demonstrate a five year housing land supply (now confirmed in the letter from MHCLG dated 22 October 2019 which agreed to revise the Housing Delivery Test score for Lewes District Council). As such, policies relevant to the consideration of this proposal should be given full, and where relevant substantial, weight.

The submitted scheme is inconsistent with Newick Neighbourhood Plan policy HO4, a policy which should be given full weight in making planning decisions as the Council can demonstrate a five year housing land supply.

The application should be subject to the relevant mitigation required by Core Policy 10 of the LPP1 and identified in the AA.

Given the above, from a planning policy perspective, an objection is raised in principle to this planning application.

**CPRE** – object - extends beyond boundary of the site, twice as many homes, contrary to NPPF para 12 and 47, contrary to CT1 and DM1, no material considerations to recommend approval, precedents set with previous appeals with regards to CT1, being considered before expiry of departure advertisement, contrary to adopted and emerging policy.

**Newick Society** – object – The Society objected to this application eight months ago in May 2019. It is noted that the application has now been recognised as 'not according to the provisions of the development plan' and has accordingly been advertised as such, with a site notice and by statutory notice in the Sussex Express newspaper on 8th February 2019, inviting representations by 25th February 2019.

The original Village Society's objections still stand. The Society now wishes to amplify its objection, particularly in view of the changed circumstances since May 2019, including sight of the planning officers published report to committee. The amplification below relates to the principle of the development and a highways issue.

## Principle

I understand that local planning authorities should only depart from an up-to-date Development Plan if material considerations indicate that the plan should not be followed. The planning officer clearly accepts that the proposed development does not accord with the Development Plan. Large parts of the 24-page officer's report are written in a manner which points towards a recommendation for refusal, but then, somewhat curiously, the conclusion, in sweeping generalised statements, recommends approval. The reasoning in the conclusion could hardly be recognised as being so material as to justify permission being granted contrary to the development plan policies.

All parties know that the Newick Neighbourhood Plan examiner said that the Neighbourhood Plan does not place a cap or a maximum limit on the number of dwellings to be built in Newick during the plan period. However, by recommending planning permission for this current application, this is clearly opening the door to further housing developments beyond the 100 envisaged in the Neighbourhood Plan. It is accepting a developer-led approach for Newick village rather than a plan-led approach and clearly could not be described as effective localism. For the officer's report to suggest that the development would not compromise or undermine community wants is entirely misguided.

There is evidence that Lewes District Council planning officers in the past and recently have recognised the problems of excessive expansion of Newick. Here are some quotes from District Council documents....

The District Council's 1981 appeal statement resisting a proposal for a private housing estate on the edge of Newick (application LW/81/0627) stated 'to all intents and purposes Newick has almost reached the limit of its natural growth...'. Those are words from the District Council planners stated over 30 years ago!

If that quote appears somewhat out-dated to be relevant today, then I refer you to one from 2013. The District Council's Sustainability Appraisal for the Joint Core Strategy, in referring to Newick, considered option A (planned growth of approx 100 homes) or option B (approx 154 homes). As you know, Option A for 100 was pursued. Option B for 154 homes was not pursued because it was...'...seen as having more considerable negative consequences to the community, travel and land efficiency objectives'. Furthermore, the tables in that Appraisal added that, if the village had 154 new homes (ie Option B) it 'may alter the character of the village, which may have a negative effect on community happiness'.

Why shouldn't we even have 200 more houses in Newick? The answer is in the Council's 2014 document 'Justification for the Housing Strategy' said (para 10.32) ...which says that 200 extra houses in Newick 'would result in substantial harm to the rural character and setting of the village'.

These are all District Council words referring to the problems and dangers of excessive expansion of Newick. Surely these quotes are now relevant to this current planning application, whereby, if permission is granted we will end up with more than 100 new homes in Newick. A planning permission will undoubtedly be referred to by developers as a precedent. You will of course understand the current severe pressures for development at Mitchelswood Farm and at 45 Allington Road.

I know that you now have to have regard to the latest National Planning Policy Framework and have regard to central government's continuous pressure for more housing but surely you recognise that continuous unlimited developer-led development in Newick is unacceptable. I invite you to recognise the merits of a village....it is a village because of its size...it is a large thriving village....it will suffer from continuous expansion...it will be

urbanised ....it will soon not have the character of a village. The Newick Village Society has consistently said over many years that new housing should be provided in the parts of the District where it could provide a benefit.

### Highway Issue

The latest submitted revised plans show an extremely elaborate new road junction here... main road to be widened, a lengthy right turn lane, illuminated bollards and two bus shelters, all urbanising this spot on the edge of the village

Please note that the currently proposed right turn lane and its associated road markings are in front of the adjoining 'telephone exchange site' which will surely have a great influence on achieving a safe access to that site when it is developed as a Neighbourhood Plan housing site. We don't know yet what form of access the highway authority will require for that telephone exchange site to overcome this potential conflict of traffic movements...will it be another right turn lane with more bollards, more traffic islands, more road widening, will they require a roundabout to cope with all the traffic movements here to the two estates? The planning officer's have not considered the final environmental impact of highway works upon this spot. This is not simply a highway engineers matter. It is a matter for the planning officers to consider in terms of the full impact upon this vulnerable spot at the entrance to the village.

Your Conservation Area Appraisal in 2006 referred to this spot, stating that 'this rural setting is an integral part of the character of the Conservation Area'. Also, in regard to this part of Goldbridge Road the District Council's Landscape Capacity Study in 2012 recognised the need to 'retain countryside entrance to village'.

It is clear that the total highway works here will have an urbanising impact at the very spot where it should have a rural village character.

Even though this highways matter was fully explained in the Village Society's May objection letter, it has been completely ignored in the officer's report, so the report is incomplete and therefore fails to present to the district councillors a fair and balanced case.

The Newick Village Society requests that these above comments are fully considered by your Planning Applications Committee, along with all other comments that you may receive up to the 25th February 2019. The Newick Village Society requests that planning permission should be refused for the development.

## 5. REPRESENTATIONS FROM LOCAL RESIDENTS

14 objections on the following grounds - blot on the landscape, contrary to NNP, increase traffic on A272, contrary to Inspectors views, land not allocated in NNP, increase in density, Newick should not take more of the District Council's housing supply, insufficient evidence to indicate that drainage proposals are acceptable, overlooking and loss of privacy, no change in adopted policies, contrary to LDLP Policy CT1, allowing this would exceed the 100 homes allocated for Newick, intrusive and will dominate high ground, inability to cope with increased traffic, demand for school places, parking, pressure on infrastructure, A272 already congested, NNP policies tested in court, the application is a departure from adopted policy, would prejudice the implementation of housing on the adjacent site, need to consider implications of the Housing Delivery Test.

1 objection from owner of adjacent site on the grounds of conflict with Policies CT1 and H04.1 and that development would prejudice the delivery of the adjacent site for housing.

3 letters neutral /support - Adding more houses is welcomed and expected, the plan does not restrict housing development to 100 units, general issue of footpath routing in the south east corner, existing infrastructure can support population growth, extra housing is needed locally and nationally, will provide long term sustainability for the village.

## **6. PLANNING CONSIDERATIONS**

### **Design, layout and appearance**

6.1 Access to the site would be gained at its western end with the existing access, which currently serves Oakside, being widened and improved to accommodate a two way access which meets the Highway authorities requirements. It will be the only access to the site, serving both vehicles and pedestrians, and will run through the site with four spurs off the road to provide access to the development. The spurs will extend into shared surfaces which will help to define the residential blocks and the public realm. A new right turn lane (for vehicles approaching from the west) will be provided on the A272.

6.2 Two areas of open space will be provided - one on the eastern side of the entrance which will serve to provide a 'village green' type gateway, creating an open and verdant entrance to the development, and the other in the south east corner of the site providing a more open amenity space with enhanced landscaping to the south and east boundaries, together with a community orchard and a pumping station. The existing mature hedgerow to the northern boundary will also be enhanced with additional planting to create a small 'shaw' which will extend along the eastern boundary, helping to soften the views of the development from Goldbridge Road and neighbouring dwellings as well as creating a green buffer. Dwellings to the north of the site will be set back between 15-25m from the northern boundary which will further lessen the visual impact from Goldbridge Road. Overall the development will provide 1.4 hectares of open space, 37% of the total site area.

6.3 The dwellings will be traditional two storey buildings with pitch roof, with some single storey units. They will incorporate a range of materials and design features found in the locality - brick, painted brick, tile hanging, render, timber boarding, chimneys, projecting gables, eaves gables, various porch designs. The design, appearance and scale of the buildings will result in an attractive and varied development, consistent with the surrounding context of Newick.

6.4 All of the dwellings have generous gardens, with the flats having a large communal space associated with each block. Provision has been made for cycle storage - 1 space per flat and 2 per dwelling. Some dwellings have garages, other allocated parking spaces, equating to approximately 2.3 spaces per dwelling in line with the ESCC Highways standard. Vehicle charging points will be provided for all dwellings with a charging point provided within the communal parking area for the flats. All the dwellings will meet the National Space Standards.

6.5 In terms of general landscaping, the majority of trees around the periphery will be retained with all new dwellings set outside of the root protection areas. The planting to the periphery of the site will be enhanced with further hedgerow and tree planting, which will maintain the countryside quality of the site whilst providing the opportunity for enhancing the biodiversity. The planting along the southern boundary is less dense and designed to follow the site topography of the site, softening views and linking to the new small orchard adjacent to the eastern boundary. The road and spurs within the site are also landscaped with prominent street trees.

6.6 The development provides a well-designed and laid out development which comfortably sits on the periphery of the settlement, forming an acceptable transition to the surrounding countryside at a density of 19 units per hectare. The proposal is well landscaped, which serves to integrate the development into its surroundings and reduce the wider visual impact.

## **Policy**

### **Newick Neighbourhood Plan**

6.7 The Newick Neighbourhood Plan (NNP) was 'made' (adopted) on 16 July 2015 and is therefore part of the Development Plan for the area. The NNP sets out a number of planning policies and four housing site allocations (HO2, 3, 4 and 5) for a total of 100 net additional dwellings. HO2 to the north of Newick is complete, HO3 and 4 are located to the east and HO5 is within the built up area and currently subject to a planning application.

6.8 The western half of the application site forms part of the NNP housing allocation Policy HO4, identified for 38 (net) dwellings. The application proposal extends the site approximately 100m to the east and increases the number of dwellings by 31. The application is therefore inconsistent with HO4, albeit it is acknowledged that the NNP has sought to locate new development broadly within this area due to its proximity to village services.

6.9 In considering these allocations it is important to note that the Independent Examiner into the Newick Neighbourhood Plan stated on page 19 of his report that -

'Representations have been received highlighting that the Neighbourhood Plan "only" plans for 100 houses. However, this is not the case. The Neighbourhood Plan helpfully includes specific allocations for housing. This provides for a high degree of certainty with regards the delivery of around 100 houses. Nowhere does the Neighbourhood Plan seek to place a cap, or a maximum limit on the number of dwellings to be built in the Neighbourhood Area during the plan period. This approach has regard to the Framework's presumption in favour of sustainable development'.

6.10 Policies HO1 and TC1 may also be considered important to making the decision on the planning application. The criteria of HO1 relate to the design and density of new housing development etc. and TC1 relates to provision for sustainable transport within new development.

### **Lewes District Local Plan**

6.11 Policy CT1 seeks to restrict development outside the planning boundaries except in very specific circumstances, the criteria for which is set out within the Policy. It is not considered that the proposal meets any of these criteria. Development of this site is therefore contrary to retained 'saved' Policy CT1

6.12 Spatial Policy 2: Housing Distribution of the JCS requires a minimum 100 net additional dwellings to be delivered at Newick over the Plan period.

### **Ashdown Forest 7km Zone**

6.13 The application site is located entirely within the Ashdown Forest 7km mitigation zone. The Ashdown Forest is designated as a Special Protection Area (SPA) and a Special Area of Conservation (SAC).

6.14 Core Policy 10 of the Joint Core Strategy seeks to ensure that the Ashdown Forest (SAC and SPA) is protected from recreational pressure, and that residential development that results in a net increase of one or more dwellings within 7km of the Ashdown Forest will be required to contribute to:

- i. The provision of Suitable Alternative Natural Greenspaces (SANGs) at the ratio of 8 hectares per additional 1,000 residents; and
- ii. The implementation of an Ashdown Forest Strategic Access Management and Monitoring Strategy (SAMMS).

The applicant has submitted an AA of the air quality impacts of the additional 30 dwellings proposed by the application that builds upon the Council's 2018 HRA Addendum. AECOM has factored in the additional AADT to the transport model developed for the Council's AA and uses the same methodology to calculate the air quality impacts. The Applicant's AA concludes that for NO<sub>x</sub> the additional 30 dwellings makes a negligible contribution to concentrations at the closest areas of heathland and the NO<sub>x</sub> concentrations and nitrogen deposition rates on even the most affected link (the A22 at Wych Cross) are essentially the same as forecast in the Council's AA. On all other transects, the contribution of the additional 30 dwellings at the nearest area of heathland is too small to show in the air quality calculations.

6.15 The conclusion of the applicant's AA, that the application proposal will not result in an adverse effect on the integrity of Ashdown Forest SAC either on its own or 'in combination' with other plans and projects, can be considered robust. For the avoidance of doubt it is confirmed that Appropriate Assessment has been carried out by the Council, as competent authority, for recreation impacts on the Ashdown Forest SPA and the strategic mitigation measures contained within CP10 have been applied at this stage of the Habitat Regulations Assessment (HRA) process to ascertain that there will be no adverse effect on the integrity of this European site. This, of course, requires the mitigation measures to be secured via a S106 planning obligation.

6.16 Therefore in policy terms as part of the development (20% of the proposed housing) is located outside of the site allocation, the development is a departure from the Local Plan, and is contrary to both CT1 of the Lewes District Local Plan and H04 of the Newick Neighbourhood Plan.

## **Highways**

6.17 The site is located within walking distance of the centre of Newick village with its range of service. The site is also in close proximity to bus stops. The development would meet the ESCC residential parking demand calculator tool and cycle parking will be provided for all of the units.

6.18 East Sussex CC Highways have been actively involved in the application since submission. Their initial response to the application, received in June 2018 recommended that consent be refused for this application on the grounds of inadequate vehicle parking facilities within the site, insufficient information on cycle parking facilities within the site and insufficient information in relation to the necessary pedestrian and public transport facilities required to serve the development.

6.19 In response the applicant submitted a Technical Note, including amended plans and a Framework Travel Plan, with the intention of addressing the above concerns. In August 2018, the County Council provided a formal response to the submitted documents,

retaining the original objection due to issues related to parking, footway provision, public transport connectivity, and the submitted Framework Travel Plan.

6.20 The applicant has since submitted additional information, including amended plans and a new Technical Note dated December 2018. The additional information supplied by the applicant shows that the proposed development is generally in line with the County Council's standards and guidelines and is unlikely to have a severe impact on the local highway network. The proposed improvements should be secured through s106 and s278 legal agreements as well as the appropriate conditions. As such ESCC Highways has not objected to the proposed development on highways grounds, subject to a s106 agreement to secure the Travel Plan fee (£6000) and highway works (site access, the provision of new bus stops, pedestrian crossing, right-turn lane and improvements to the footway along the A272) by s278 agreement, and the following conditions.

(The full comments from ESCC Highways can be found within the consultation response section of the report).

### **Drainage**

6.21 It is proposed to deal with surface water runoff by utilising sustainable techniques (SuDS), ensuring that there is no increase in the rate of volume of run off leaving the site. The measures used will include measures to improve the water quality of the run off prior to it infiltrating in to the ground. Water storage will be provided on site in cellular tanks.

6.22 ESCC as the Lead Local Flood Authority (LLFA) have stated that as an alternative solution to infiltration the applicant is proposing to discharge surface water runoff to the River Ouse, a designated main river approximately 550m east of the application site. The applicant has provided enough detail to assure us that the proposed drainage design can be practically implemented while discharging into the Ouse. However, an environmental permit from the Environment Agency for the construction of the outfall on the Ouse and a license from East Sussex Highways will be required for the construction of the pipe from the application site to the river.

6.23 They also note that the ground investigation showed that groundwater on site is less than 3m below ground level and this was recorded in summer. This is reinforced by existing data which indicates that there is a potential for groundwater flooding to occur at the site.

6.24 However the LLFA are satisfied from the information submitted in the FRA and the Planning statement that the development could proceed without detriment to its surroundings and that satisfactory measures can be put in place to ensure that the site can be adequately drained, and as such have requested a number of conditions.

### **Sustainability**

6.25 The issue of sustainability is addressed within the submitted Design and Access Statement, and covers the measures that can be incorporated to mitigate climate change. The overall strategy is to reduce demand for energy by creating thermally efficient buildings which are well designed and appropriately orientated. Therefore it is not envisaged that renewable energy technologies will be used on the site as the dwellings will be built to such an efficient standard that they will minimise energy consumption and meet the requirements of Building Regulations and adopted planning policy.

6.26 It has been possible to ensure that over half of the dwellings have a southerly orientation which maximises natural energy gain and minimises energy demand for



heating. Energy efficiency measures and improved thermal specifications last the entire lifetime of the building. This will be coupled with air tightness of the building's design, which will reduce the size of heating systems, energy use and carbon emissions.

6.27 Non-permeable surfaces will be minimised, SuDS systems will be employed to enhance drainage and accommodate a 1 in 100 year return storm period as well as accommodating increased rainfall as a result of climate change, and all internal devices will have water efficient fittings.

6.28 Sourcing local materials will reduce transport costs, and all materials will be selected to improve environmental performance. The site is also well located in terms of existing village facilities, and allows for trips to be made by foot and cycle. Vehicle charging points will be provided for all dwellings with a charging point provided within the communal parking area for the flats.

6.29 Notwithstanding the above it is considered that further measures should be considered to reduce to impact of the development on the climate and therefore a condition requiring the developer to show how the development will incorporate measures to reduce carbon energy use, facilitate renewable energy installations, and lower household water consumption, has been proposed.

### **Wider Visual Impact**

6.30 As described above the site is relatively flat and devoid of significant landscape features. As grazing land the mature vegetation exists largely around the periphery of the site. The site is not situated within any specific landscape designation. There is no right of way cross the site, with the nearest ROW, excluding Goldbridge Road, being located approximately 180m to the south, or 400m to the north near Alexander Mead.

6.31 The site falls within the Upper Ouse Valley landscape character area, as defined in the East Sussex Landscape Character Assessment. The area is largely unspoilt with few intrusive features, characterised by gently undulating terrain, a countryside of low ridges and wide valleys covered by an intricate patterns of streams and woods, heavily wooded in places, with small village settlements with distinctive churches, with historic farmhouse and large farmsteads. The Lewes District Landscape Capacity Study (2012) identified one of the preferred locations for development at Newick is to the east of the village and included the current site. The landscape guidance focused on reinforcing the network of structural vegetation, defining settlement boundaries, maintaining views to the High Weald (to the north), introducing extensive green infrastructure including community orchards/allotments, protecting distinctive local character and maximising opportunities for SuDS.

6.32 It is considered that the current proposal has taken account of these guiding documents and has created a scheme that will sit comfortably within the wider countryside context without undue harm to the intrinsic character of the area. The proposed landscaping and enhanced shaw and boundary hedges helps the development to integrate into the landscape whilst minimising visual impact beyond the site, allowing the development to form a transition from the village to the countryside beyond.

### **Legal Agreement**

6.33 The development would require a S106 agreement to secure the following -

- the Travel Plan fee (£6000)
- highway works (to include site access, the provision of new bus stops, pedestrian crossing, right-turn lane and improvements to the footway along the A272) secured by s278 agreement

- SAMM contribution of £1170 per dwelling which equals £80,730
- SANG contribution of £5,000 per dwelling which equates to £345,000 (however this amount can be discounted by £25,000 as the SANG has not yet been handed over to the Council and the current maintenance has and is being carried out by the developer – these amounts could change to offset the developers reasonable maintenance costs up to the date of the first occupation against the capped contribution).
- 40% affordable housing - 16 flats (10 x 1 and 6 x 2 bed) and 6 x 2 and 6 x 3 bed houses

## **Conclusion**

6.34 In policy terms it is acknowledged that part of the development (20% of the proposed housing) is located outside of the site allocation and as such is contrary to both CT1 of the Lewes District Local Plan and H04 of the Newick Neighbourhood Plan and is therefore a departure from the Local Plan. However, the scheme would provide a well-designed housing development, which provides a range of house types and styles which would sit comfortably on this edge of settlement site, without detriment to wider amenity or the countryside beyond. The development is both spacious and well landscaped, integrating into the surrounding countryside, whilst being in a sustainable location within walking distance of the village facilities.

6.35 The revised 2018 NPPF as amended makes it clear that Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990). The development plan includes local and neighbourhood plans that have been brought into force.

6.36 The NPPF at paragraph 12 states that 'the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making'. It goes on to say that 'Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed'. In this case it is considered that the proposed development would not compromise or undermine the implementation of the Newick Neighbourhood Plan, its objectives or the community 'wants' contained therein. Also, having due regard to the fact that the site allocation is located outside of the defined settlement boundary, it is not considered that the 14 units proposed to be built outside of the allocated site would result in any demonstrable harm, to the wider countryside setting or wider amenity. Therefore, and on balance, it is considered that planning permission can be granted.

## **7. RECOMMENDATION**

7.1 That planning permission is granted subject to a legal agreement and the conditions listed below.

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

1. No part of the development shall be occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing (Ref: 2018/4221/011RevA).

Reason: In the interests of road safety.

2. The access shall have maximum gradients of 4% (1 in 25) / 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

Reason: In the interests of road safety

3. Dwellings shall not be occupied until the car parking for that dwelling has been constructed and provided in accordance with the approved plans. 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.

4. Dwellings shall not be occupied until covered and secure cycle parking spaces have been provided for that dwelling 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.

5. Dwellings shall not be occupied until the road(s), footways and parking areas serving that relevant part of 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.

6. 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.

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

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

Reason: In the interests of highway safety and the amenities of the area.

8. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site

shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: In the interests of highway safety

9. Upon the occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport.

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

Reason: In the interests of road safety.

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

(a) Further site investigation scheme, based on Geo-environmental report (dated 17 May 2017, report ref: GE15497-GIRv2.0-MAY17) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(b) The site investigation results and the detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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

12. If, during development, contamination not previously identified is found to be present at the site then no further development 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 : To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 120 and 121].

13. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

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

14. Surface water discharge rates shall not exceed 6.3 l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

15. The details of the outfall of the proposed pond and how it connects into the main river should be provided as part of the detailed design. This should include cross sections and invert/cover levels and levels of the receiving watercourse.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

16. The condition of the main river which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the main river should be carried out prior to construction of the outfall. Evidence that the Environment Agency agrees to the proposed rate and connection should be submitted.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

17. The detailed design of the pond and geocellular storages should be informed by findings of additional groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the ponds and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

18. A maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:

- a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.
- b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

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

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

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

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

21. Before the development hereby approved progresses above ground level details/samples of all external materials including all facing and roofing materials as well as surfacing materials, shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

22. Before work associated with the construction of the pumping station takes place on site, details of the buildings appearance (including materials) together with details to show that the pumping station will not increase background noise level when measured from the nearest residential properties, shall be submitted to and approved in writing by the LPA, and shall be carried out in accordance with that approval.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

23. Before the buildings hereby approved are occupied, details for the provision of bird and bat boxes, and hedgehog passes in garden fences shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with the approved details.

Reason: In the interest of wider ecological enhancement having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

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

Reason - To preserve the character of the area and to prevent light pollution in this countryside setting having regard to Policy ST3 of the Lewes District Local Plan, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

25. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 Class A to F of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area and the amenity of adjacent occupiers having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

26. No development shall take place until detailed plans for the design and layout of the LAP /LEAP (including any play equipment, together with a plan for the management and maintenance of this area and all other public open space within the development including the landscaped buffer to the northern boundary have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of any part of the residential development or in accordance with a programme agreed in writing by the local planning authority and the areas shall be managed and maintained thereafter in accordance with the approved plan and the management strategy.

Reason: To ensure the long term benefit to residents of the development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

27. Before the dwellings hereby approved are occupied the electric car charging points indicated on the approved plans, both for residents and visitors, shall be installed and made operational.

Reason - In order to provide a more sustainable development having regard to Core Policy 14 of the Joint Core Strategy Part 1 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

28. The hard and soft landscape works hereby approved and indicated on plans L7 Rev E and L8 shall be carried out as approved before first occupation. If within a period of five years from the date of the planting any tree, or any tree planted in replacement for it, is removed, uprooted destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - In order to secure an acceptable form of development and having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

29. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of how the development will incorporate measures to reduce carbon energy use, facilitate renewable energy installations, and lower household water consumption, have been submitted to and approved in writing by the local planning authority. The approved measures shall be put in place prior to the first occupation of each of the residential units, and shall be retained as such thereafter.

Reason: In order to reduce locally contributing causes of climate change in accordance with policy CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework 2019.

#### Informatives

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

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

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Additional Documents	10 December 2018	2018-4221-011 Rev A
Planning Statement/Brief	21 May 2018	LAND SUPPLY
Location Plan	30 April 2018	SLP-01
Existing Block Plan	30 April 2018	SLP-02
Proposed Layout Plan	10 December 2018	M-01H
Other Plan(s)	10 December 2018	M-02E
Other Plan(s)	10 December 2018	M-03E
Other Plan(s)	10 December 2018	M-04E



Other Plan(s)	10 December 2018	M-05E
Other Plan(s)	10 December 2018	M-06E
Other Plan(s)	10 December 2018	M-07D
Proposed Parking Plan	10 December 2018	M-08E
Planning Statement/Brief	30 April 2018	
Transport Assessment	30 April 2018	PT1
Transport Assessment	30 April 2018	PT2
Transport Assessment	30 April 2018	PT3
Transport Assessment	30 April 2018	PT4
Transport Assessment	30 April 2018	PT5
Tree Statement/Survey	30 April 2018	
Tree Statement/Survey	30 April 2018	TREE PROTECTION PLN
Tree Statement/Survey	30 April 2018	REPORT AND PLAN
Additional Documents	30 April 2018	LVIA1
Additional Documents	30 April 2018	LVIA2
Additional Documents	30 April 2018	LVIA3
Additional Documents	30 April 2018	LVIA4
Additional Documents	30 April 2018	LVIA5
Additional Documents	30 April 2018	LVIA6
Additional Documents	30 April 2018	LVIA7
Additional Documents	30 April 2018	LVIA8
Additional Documents	30 April 2018	LVIA9
Additional Documents	10 December 2018	LVIA10 L7 REV E
Additional Documents	30 April 2018	LVIA10 L8
Additional Documents	30 April 2018	UTILITIES REPORT T050-U1

Additional Documents	30 April 2018	DRAFT HEADS OF TERMS
Additional Documents	30 April 2018	DRAWING SCHEDULE
Additional Documents	30 April 2018	GROUND INVESTIGATION 2
Additional Documents	30 April 2018	GROUND INVESTIGATION 3
Additional Documents	30 April 2018	GROUND INVESTIGATION REP
Additional Documents	7 August 2018	HOUSE TYPE PACK
Design & Access Statement	30 April 2018	REV D 1-2
Design & Access Statement	30 April 2018	REV D 2-2
Flood Risk Assessment	30 April 2018	
Illustration	10 December 2018	EL-01E STREET ELEVATIONS
Justification / Heritage Statement	30 April 2018	ARCHAEOLOGICAL REPORT
Other Plan(s)	10 December 2018	M-09A car charging
Additional Documents	7 August 2018	CIL EXEMP
Additional Documents	3 August 2018	EIA ADDENDUM