

Report to: Planning Committee
Date: 23rd February 2021
Application No: 190706
Location: Land at Friday Street Farm, Stone Cross, East Sussex
Proposal: Outline application (Matter for approval: Access) for proposed new access from Pennine Way to serve development of Land at Friday Street Farm, for up to 250 residential dwellings (35% affordable), with associated car parking, together with the introduction of new access point from Pennine Way, and creation of a network of roads, footways, and cycleways throughout the site; and the provision of 1.6ha of public open space, further children's play areas, allotments, sustainable urban drainage systems, and landscape buffers on the site.

Full proposal is being considered by Wealden District Council (Ref: WD/2020/1391/MAO)

Applicant: Wates Developments Limited
Ward: Langney
Deadlines: **Decision Due Date:** 9th December 2019
Neighbour Con. Expiry: 29th November 2019

Recommendation: Grant outline planning permission subject to legal agreement covering the following issues and subject to the conditions listed below in the report:-

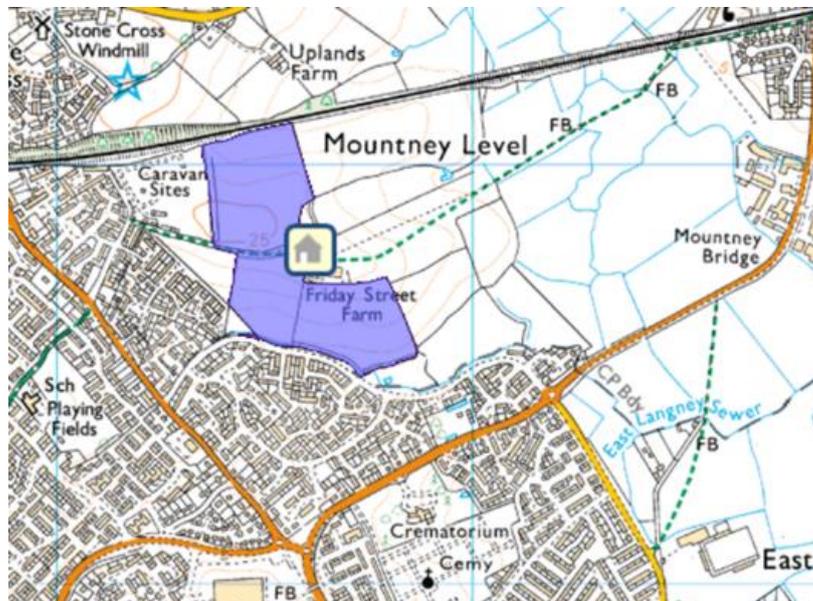
Heads of terms for the S106 Legal Agreement

- 1.1 Pennine Way Access, vision splays and other road safety mitigation to Pennine Way including traffic calming measures (as outlined and agreed by East Sussex County Council shall be implemented prior to the commencement of any development of the site.
- 1.2 Strategic Road EBC to be satisfied that these improvements are to be funded by either WDC CIL or the applicant and or financed by Government and to be completed in a reasonable timeframe.
- 1.3 Enforcement WDC & EBC to share enforcement responsibilities in the event of one of the milestones not being met.

- 1.4 Signatory EBC to be a signatory to the S106 in order to allow for the enforcement powers described above.
- 1.5 Public Transport Initiatives payments to be made to cover the provisions of new bus stops, real time bus information and to increase the frequency of the buses, travel plan and travel passes.

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Map Location:



1. Executive Summary

- 1.1 Members will recall that this item was deferred from January's Planning Committee in order to allow for officer to garner greater understanding of the financing of the offsite highway works; this work has now concluded.
- 1.2 The applicants have confirmed that the Pennine Way highways works will be paid for by them and delivered prior to any commencement on the development site.
- 1.3 ESCC have confirmed that the Lion Hill junction works have been completed to their satisfaction and they have pledged to keep the capacity if this junction under review.

- 1.4 ESCC have outlined that the Golden Jubilee Way and Dittons Road junction form part of a £35m scheme for the A22 that looks at improvements to a number of junctions/roundabouts between Eastbourne and North Hailsham. These works are to be funded by Central Government and ESCC have stated that they have a high degree of confidence that these are will be delivered in the near future.
- 1.5 ESCC have confirmed that WDC CIL funding will contribute around 15% of these costs and WDC have confirmed that these monies are available and assigned to this infrastructure project.
- 1.6 WDC have confirmed that if the wider project monies do not materialise then they hold sufficient funds from CIL & S106 receipts to cover the works required by ESCC for Golden Jubilee roundabout/Dittons Road.
- 1.7 Given the above changes and new information it is considered that this application should now be supported and is recommended for approval.

2. Recommendation

- 2.1 The recommendation is to grant planning permission subject to legal agreement covering the following issues and subject to the conditions listed below:-
- Pennine Way Access, vision splays and other road safety mitigation to Pennine Way including traffic calming measures (as outlined and agreed by East Sussex County Council shall be implemented prior to the commencement of any development of the site.
 - Strategic Road EBC to be satisfied that these improvements are to be funded by either WDC CIL or the applicant and or financed by Government and to be completed in a reasonable timeframe.
 - Enforcement WDC & EBC to share enforcement responsibilities in the event of one of the milestones not being met
 - Signatory EBC to be a signatory to the S106 in order to allow for the enforcement powers described above.
 - Public Transport Initiatives payments to be made to cover the provisions of new bus stops, real time bus information and to increase the frequency of the buses, travel plan and travel passes.

3. Recommended Conditions

- 3.1 **Time Limit** - The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 92 of the Town and Country Planning Act 1990.

3.2 Reserved Matters -

- a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
- i. layout.
 - ii. scale.
 - iii. appearance; and
 - iv. landscaping.
- b) The reserved matters shall be carried out as approved.
- c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

3.3 Approved Plans - The development hereby permitted shall be carried out in accordance with the approved drawings:-

C85278-SK-003 G
C85278-SK-004 F
C85278-SK-005 H
C85278-SK-006 G
Aboricultural Impact Assessment - 9162_AIA.001 Rev C Dated September 2019

Reason: For the avoidance of doubt and in the interests of proper planning.

3.4 Pennine Way Access Details - The new access and associated works to Pennine Way shown on Drawing C85278-SK-003 G, C85278-SK-004 F, C85278-SK-005 H and C85278-SK-006 Revision G shall be in the position shown on the approved plans and laid out and constructed in accordance with details agreed by the Local Planning Authority. The agreed measures shall be implemented prior to the commencement of any part of the development site approved under the Wealden District Council Scheme Ref: WD/2020/1391/MAO.

Reason: To provide visibility for vehicles entering and leaving the site in the interests of and for the safety of persons and vehicles using the development

3.5 Pennine Way Highway Mitigation - The access hereby granted shall not be used for accessing any part of the residential development site until visibility splays of 2.4m by 55m are provided in both directions and maintained thereafter and that the wider road safety measures in Pennine Way are implemented in full.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

3.6 **Construction Management Plan** - 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 routing 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.

3.7 **Detail drawings of highway junction** - Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with the Highway Authority

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

3.8 **Working Hours** - That no demolition, site clearance or building operations shall take place except between the hours of 8:00 a.m. and 6:00 p.m. on Mondays to Fridays and 8:00 a.m. and 1:00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank Holidays unless previously agreed in writing by the Local Planning Authority.

Reason: In the interest of maintaining the amenities of nearby residents/occupiers and in the interest of maintaining the character of the wider area.

3.9 **Retained Trees** - All existing trees shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage because of works on the site, to the satisfaction of the Local Planning Authority. This should be in accordance with its Supplementary Planning Guidance and relevant British Standards (BS 5837:2012) for the duration of the works on site. If trees become damaged or otherwise defective within five years following the contractual practical completion of the development, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees.

3.10. **Works within root spread** - The soil levels within the root spread of trees/hedgerows to be retained shall not be raised or lowered.

Reason: To avoid damage to health of existing trees and hedgerows.