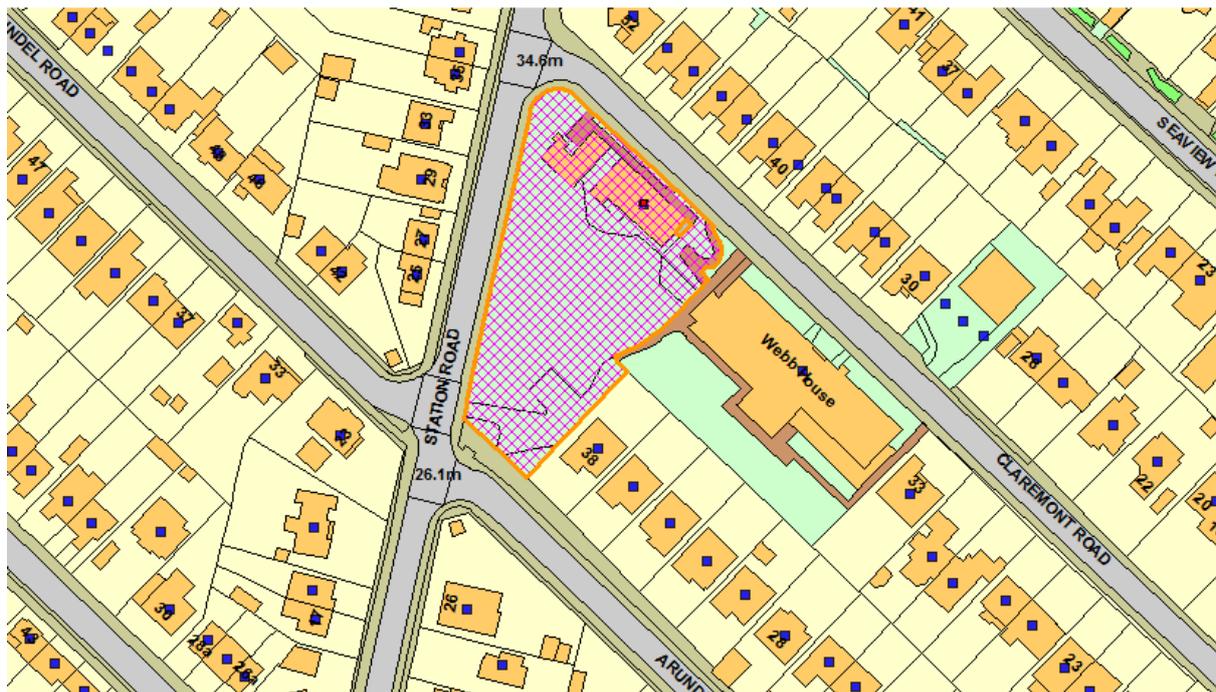


Report to: Planning Applications Committee
Date: 9 June 2021
Application No: LW/20/0888
Location: Searchlight Workshops, Claremont Road, Newhaven
Proposal: Demolish two existing buildings (former workshop and kitchen) and erection of 6 no. semi-detached dwellings and 3 no. detached units, to all include hard and soft landscaping works and drop kerbs for driveway access. AMENDED DESCRIPTION - 1 x unit removed.

Ward: Newhaven North
Applicant: Mr J Page
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Map Location:



1. Executive Summary

- 1.1 It is considered that the proposed development represents an efficient and sustainable use of a previously developed site. The overriding character of the surrounding area would not be compromised and environmental and residential amenities would be preserved.

- 1.2 The site can be accessed safely and an appropriate amount of off-street car parking would be provided in order to ensure there is not unacceptable parking pressure on the surrounding highway network.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019

2. Achieving sustainable development
4. Decision making
8. Promoting healthy and safe communities
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

2.2 Lewes District Local Plan (Parts 1 and 2)

- LDLP: – CP2 – Housing Type, Mix and Density;
- LDLP: – CP10 – Natural Environment and Landscape;
- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage
- LDLP: – CP13 – Sustainable Travel
- LDLP: – CP14 – Renewable and Low Carbon Energy
- LDLP: – DM1 – Planning Boundary
- LDLP: – DM20 – Pollution Management
- LDLP: – DM23 – Noise
- LDLP: – DM24 – Protection of Biodiversity & Geodiversity
- LDLP: – DM25 – Design
- LDLP: – DM27 – Landscape Design

2.3 Newhaven Neighbourhood Plan

- NNP: – D1 – Promoting Good Design
- NNP: – D2 – Design and Climate Change;
- NNP: – H1 – A Spatial Strategy for Newhaven
- NNP: – NE1 – Biodiversity protection and enhancement

3. **Site Description**

- 3.1 The site is a corner plot, positioned at the junction between Station Road and Claremont Road both of which are flanked by mixed residential development, predominantly in the form of detached and semi-detached two-storey dwellings although bungalows and chalet style properties become more prevalent as Claremont Road extends to the south-east, particularly on the southern side of the road. Although dwelling designs are mixed there are overarching spatial characteristics

with the majority of dwellings set slightly back from the road and occupying close to the full width of their respective plots, with relatively small gaps maintained between neighbouring properties.

- 3.2 The site itself is occupied by two dilapidated single-storey buildings positioned towards the north-eastern site boundary which flanks Claremont Road. The buildings are set on a flat area of ground which is stepped down approx. 2.5 metres from street level resulting in only the roof slopes having any prominent presence within the street scene. Heras fencing has been placed across the site frontage.
- 3.3 The existing buildings had accommodated facilities associated with Searchlight Workshops, a charity organisation which provided residential, day care services and respite care for adults with physical and learning disabilities. The charity merged with another organisation and residents were subsequently moved to Webb House which occupies the adjoining plot to the east of the site. Since then, the former Searchlight buildings have been vacant with those on the northern site of the road having already been demolished and replaced by dwellings.
- 3.4 There is a memorial garden and pond in the north-eastern corner of the site. Step free access to this feature is provided from Station Road.
- 3.5 The site to the rear of the remaining buildings falls steeply to the south, matching the slope of Station Road which flanks the western side of the site. This part of the site was once occupied by a two-storey building comprising a group of 4 x former detached dwellings that had been interconnected and converted for use associated with the charity organisation. Outline permission was granted for the removal of these buildings and construction of 6 x two-storey dwellings under application LW/86/1287 but this permission was never implemented.
- 3.6 The site narrows towards the south, forming a triangular shaped plot with a narrow section flanking Arundel Road to the south. This portion of the site, to the rear of the remaining buildings, has been cleared with the grass surface and boundary hedging removed. Timber hoarding has been erected along the entire southern and western boundaries of the site.
- 3.7 The site is located within the planning boundary within the Denton Neighbourhood which is built on a hillside which slopes down towards the Ouse Estuary Nature Reserve approx. 350 metres to the south and rising towards the South Downs National Park approx. 250 metres to the north. The site does not fall within either Flood Zone 2 or 3 and, as such, is not identified as being at risk from tidal or fluvial flooding. Flood mapping also shows the site to be at very low risk of flooding by surface water.

4. Proposed Development

- 4.1 The proposed development involves the demolition of the remaining buildings and ancillary structures on the site and the construction of 9 x new residential dwellings configured as a row of 6 x semi-detached dwellings that would align with Claremont Road along the north-eastern

site boundary and 3 x detached dwellings aligned with Station Road on the western site boundary.

- 4.2 The proposed semi-detached dwellings would be 3-storey flat roof structures with a study and kitchen/dining area at lower ground floor level, integral garage and living room at ground floor level and three bedrooms at first floor level. A cantilevered ground floor and first floor projection would be attached to the rear elevation and would provide terraces at both levels. Each of these dwellings would have a footprint of 76 m²; measure approx. 4.3 metres in width by 13 metres in depth and measure approx. 9.2 metres from site ground level to roof top.
- 4.3 The proposed detached dwellings would be 2-storey flat roof structures with an integral garage and living/dining/kitchen areas at ground floor level and three bedrooms at first floor level. Each dwelling would have a footprint of approx. 99.5 m², measure approx. 6.2 metres in width by 16.6 metres in depth and measure approx. 6.4 metres from site ground level to the roof top.
- 4.4 Additional off-street car parking would be provided in the form of 2 x car parking bays to the front of each dwelling. These would be accessed via new dropped kerb crossovers formed on Claremont Road and Station Road.
- 4.5 The general topography of the site would be maintained but with the downward slope from Claremont Road toward Arundel Road terraced in order to enable the proposed dwellings and garden areas to be on level ground.
- 4.6 The existing memorial garden in the north-eastern corner of the site would be relocated to the adjoin site, Webb House, which continues to provide supported living spaces, residential day care and community services.

5. Relevant Planning History

- 5.1 **P/66/0105** – Proposed alterations and additions to utility block – Approved 1st August 1966
- 5.2 **LW/86/1287** - Outline for demolition of buildings and erection of six 2-storey terraced dwellings with garages and parking spaces – Approved 9th September 1986 (reduction from 6 to 5 units negotiated)
- 5.3 **LW/95/1667** - Demolition of workshop and dining room buildings and erection of two storey building to provide new dining/kitchen facility for residents and staff – Refused 14th March 1996

6. Consultations

- 6.1 External Consultations:

ESCC Highways

The details of the planning application regarding visibility, the quantum and location of cycle parking, the quantum of car parking and the location of refuse stores are all considered to be acceptable.

The applicant has submitted a parking survey to demonstrate the available parking. The submitted parking survey suggests there is sufficient capacity in the local streets for 93 vehicles. It is therefore considered that the impact of the additional dropped kerbs could be accommodated in the local highway network. I would therefore not wish to object to this application, subject to the imposition of conditions.

Southern Water

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

Construction of the development shall not commence until details of the proposed means of foul and surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Sussex Police/Secured by Design

The development's 10 dwellings all face outwards onto the street which has created good active frontage and surveillance over the on-curtilage parking and public area. Cycle security is being provided for within garages and cycle sheds within the gardens. I would like to direct the applicant to SBD Homes 2019 V2 document para 56 for advice on cycle security and para 54 for increasing security of the garage vehicle door-set or the interconnecting door-set to the dwelling. Consideration is to be given to these door-sets due to the garage door-set being part of the building skin and access into the dwelling can be obtained from the garage. Either one needs consideration, but I would recommend that the vehicle door-set security is increased.

My only concern over the design and layout of the development would be the proposed rear access path to the rear gardens of plots 1-6. The presence of the path provides unobserved access to these rear gardens and as a result increases the vulnerability of attack from the rear.

OFFICER RESPONSE: A revision to the layout plans will be sought with the rear path omitted and gated access to gardens instead provided from the front of each site.

Newhaven Town Council

The committee supported this application, with the following concerns.

The building design was not fully in keeping with the street scene, and

The possible detrimental impact(s) for on-street parking

Neighbour Representations

- 6.1 46 letters of objection were received from neighbouring residents in response to the originally submitted scheme for 10 dwellings. Following consultation on the revised plans, a further 26 letters of objection were received. A summary of comments received is provided below. All points raised in objections against the original scheme that remain applicable to the revised scheme are included:-

Public consultation was held too late and did not allow a chance for residents to raise concerns;

Front facing windows on the properties flanking Claremont Road would offer invasive views towards living rooms of properties opposite;

Properties on Station Road and Arundel Road will also be overlooked;

Will appear overbearing and bulky, particularly the 3-storey properties;

Design and scale is out of keeping with street scene;

A previous scheme for a two-storey building on the site (LW/95/1667) was refused due to it being excessively bulky;

A recent application for a 'tall box' building was at the nearby 11 Station Road was refused under LW/19/0513 due to overbearing impact and overdevelopment;

Properties would not be stepped into the hill slope in the same way others on Station Road are;

Other recently built flat roof structures replaced previous flat roof buildings;

Dropped kerb parking will result in loss of on-street parking that is used by workers at Webb House as staff car parks have been sold for development;

Cars already park opposite the site on Station Road rendering it a single track road;

Vehicles using drop kerb would represent a hazard to pedestrians including wheelchair users accessing Webb House;

Advice at pre-application stage was provided without consultation with local residents;

Loss of views towards coast and National Park;

The site has been cleared and habitat removed prior to the application being submitted. Mitigation planting should be required if approved;

Additional traffic on a busy road;

All the existing buildings on this portion of Claremont Road are single-storey;

Dwellings on Claremont Road should be stepped further back from the highway;

Would cause overshadowing towards properties on Station Road;

Will put pressure on junction at bottom of Station Road where there is a community shopping area;

Mud will be deposited on the road by construction vehicles;

There will be an increase in activity and noise;

Pressure on infrastructure;

Recently built houses in the area have not been sold;

Ashes from the memorial garden have been removed prior to the application being submitted;

There needs to be more biodiversity measures;

Harmful impact upon wildlife;

Dwellings are too cramped to provide family accommodation;

Increased risk of surface water flooding particularly as base of hill;

The omission of one dwelling has not overcome concerns raised by neighbours;

The green plot made available at the south of the site will be used for development at a later date;

The additional space created by the reduction on dwellings should be used to provide a car parking area;

The ridge height of the existing buildings should be maintained;

The wheelchair accessible unit has been removed from the scheme;

Who would be responsible for managing the green area?

The dwellings on Station Road should be reorientated with the rear garden flanking the road so it can be lined by hedging;

Newhaven should be treated with the same respect as other areas;

A mature tree on Station Road will be cut down;

Hard standing and loss of vegetation will increase surface water run-off;

6.2 OFFICER RESPONSE: Matters relating to environmental, residential and visual amenity as well as traffic and drainage will be addressed in the main body of this report. References to earlier planning refusals are noted. The two-storey building refused under LW/95/1667 maintained a ridge height extension a significant distance along Station Road that did not respond to the downward slope unlike the proposed scheme where there is a clear step down in roof height on dwellings flanking station road as well as a break up in mass as a result of the detached design. The refused building was also not stepped back from the highway unlike the proposed dwellings flanking Station Road. The recently refused scheme at 11 Station Road involved a large flat roof structure that directly overlooked bungalows on lower lying land to the rear and also occupied close to the full site envelope. These are not characteristics that are present in the proposed scheme.

7. **Appraisal**

7.1 Key Considerations

7.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.

7.2 Principle

- 7.2.1 This site is located within the adopted settlement planning boundary. Development is therefore acceptable in principle.
- 7.2.2 Para. 118 of the NPPF which maintains that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Development of under-utilised land and buildings should be promoted and supported, especially where this would help to meet identified needs for housing. Para. 123 of the Revised NPPF encourages the efficient and sustainable use of sites for housing development, stating 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 7.2.3 From a housing delivery perspective, para. 68 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing, particularly as development on such sites is often built-out relatively quickly.
- 7.2.4 The proposed development is therefore considered to be acceptable in principle and, as such, should be approved provided its specific characteristics and attributes align with the wider policies of the NPPF. Development Plan policies that are consistent with the NPPF will also be referred to. A full assessment against these relevant policies is provided in the main body of the report below.

7.3 Design and Impact upon Character of Surrounding Area

- 7.3.1 The site is located in a predominantly residential area. The proposed development has two street frontages, these being on Station Road and Claremont Road. Development on Station Road is somewhat piecemeal with the design of dwellings being varied as a result. There are consistencies in general scale, with two-storey buildings being the predominant form. Pitched roofing is generally evident although there are two-storey flat roof dwellings directly opposite the site and at numbers 25 and 27 Station Road. There are overarching spatial characteristics, with dwellings generally set back from the road (although not in a uniform line) and also occupying close to the full width of their respective plots, with small gaps maintained between individual buildings.
- 7.3.2 The developable area of the site, which does not include the area of green space to the south, is approx. 0.25 hectares. The density of the development therefore equates to approx. 36 dwellings per hectare (dph) which is below the recommended 47 to 57 dph figure for development in towns as set out in policy CP2 of LLP2 but it is considered the reduced density is acceptable in this instance due to the efficient use of other parts of the site in the form of sympathetic 3-storey development, due to the site constraints in the form of its sloping topography and tapering shape, and due to the opportunity

provided to use remaining greenspace to introduce biodiversity net gain. The density of the proposed development is also broadly consistent with that of surrounding development on Station Road and Claremont Road.

- 7.3.3 The north-western end of Claremont Road was, until recently, occupied by buildings associated with Searchlight Workshops. Those on the northern side of the road have recently been replaced with two groups of two-storey dwellings. Both groups are considered to incorporate contemporary design elements, including flat roofing over properties on the site of the former garages.
- 7.3.4 Para. 127 (c) of the NPPF states that planning decisions should ensure that are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Policy DM25 (2) of LLP2 states that development will be permitted where 'its scale, form, height, massing, and proportions are compatible with existing buildings, building lines, roofscapes and skylines'. It is important to note that the policy require compatibility with surrounding roofscape and skylines rather than replication.
- 7.3.5 The proposed flat roof buildings take influence from surrounding properties on Station Road and Claremont Road and, whilst pitched roofing is the most frequent form on surrounding dwellings, it is considered that the surrounding flat roof dwellings provide a justifiable context and prevent the development from appearing out of keeping with its surroundings. Furthermore, the proposed flat roof buildings would not become the dominant feature within the wider street scene and, as such, it is considered that the prevailing character of mixed building designs would be preserved.
- 7.3.6 Although two-storey dwellings are the predominant form of development of the street, it is not considered that the provision of 3-storey dwellings on Claremont Road would result in a disruptive element in terms of roofline and skyline. The site topography allows the lower ground floor to be set largely below street level, resulting in the dwellings appearing essentially as a two-storey dwelling when viewed within the street scene. The flat roof design minimises the height of the dwellings to the extent that overall height, at approx. 9.2 metres, would not be significantly greater than the ridge height of the dwellings on the opposite side of the road, which is 8.9 metres.
- 7.3.7 The existing buildings occupying the site are of minimal height and the bulk of the elevation walls are set below street level. However, these building fail to engage with the street scene in any meaningful way and, for a development of new residential properties, it is important that the dwellings identity and interact with the street and surrounding properties in order to generate a sense of place as well as a visual connection with the surrounding community as required by para. 127(d) of the Revised NPPF and policy D1(4b) of the Newhaven Neighbourhood Plan. Dwellings of a similar height to the existing buildings occupying the site would fail to achieve this.

- 7.3.8 Site sections show there would remain in appreciable step down in the roofline from properties on the northern side of Claremont Road to the proposed properties and this would across the development as it extends to the south, reflecting the sloping topography of the site and reflecting the established pattern of the roofline of Station Road which rises in tiers from the bottom of the road as it climbs to the north. It is therefore considered that important views towards the South Downs National Park would not be detracted from in accordance with policy CP10 of LLP1.
- 7.3.9 The orientation and positioning of the proposed dwellings is considered to be consistent with the spatial characteristics of the surrounding area, with an appreciable set back from the road being maintained on both the Claremont Road and Station Road frontages. Small gaps will be maintained between individual buildings as is characteristic of the area. The set back from each street would help prevent the proposed buildings from appearing overly dominant or oppressive.
- 7.3.10 The retention of an area of greenspace to the southern end of the site would ensure the return building line on Arundel Road is not breached and would allow for planting and habitat creation to be incorporated into the development as a means to achieve biodiversity net gain.
- 7.3.11 The proposed garden access path taken from Station Road has been identified as a potential security hazard by Sussex Police and, notwithstanding the submitted plans, a condition will be used to require this feature to be omitted and garden access instead provided from the front of dwellings where there is a good level of natural surveillance and where access and the ability to provide direct gated access to each garden.
- 7.3.12 It is therefore considered that the proposed development would align with NPPF objectives to secure innovative design that has a strong sense of identity whilst not having an unacceptable impact of the prevailing character of the surrounding area.

7.4 Impact upon Amenities of Neighbouring Residents:

- 7.4.1 The frontage of the dwellings facing onto Claremont Road would face towards dwellings on the opposite side of the road at numbers 38-52 Claremont Road. Frontage openings at ground floor level would comprise a garage door and the front door of each property. At first floor level, two bedroom windows would face towards the first floor living room windows and balconies neighbouring properties. Whilst the views would be direct, a separation of 22 metres would be maintained between the proposed bedroom windows and balconies, increasing to approx. 23.75 metres between the bedroom windows and living room windows. The siting of opposing dwellings on residential roads is a common and accepted arrangement. The distance maintained between the opposing properties is considered sufficient to prevent invasive or intrusive views and is consistent with distance maintained between opposing properties on surrounding streets. Similar distances are maintained between the

front elevation of the proposed dwellings on Station Road and neighbouring properties opposite.

- 7.4.2 Although they would be 3-storey structures, the roof top height of the proposed dwellings on Claremont Road would be stepped down from the height of properties at 38-52 Claremont Road and a good degree of separation would also be maintained. The height of the dwellings facing onto Station Road is consistent with those on the opposite side of the road and, again, a good degree of separation is maintained. It is therefore considered that these neighbouring properties would not be subjected to unacceptable levels of overshadowing nor suffer from a sense of overbearing.
- 7.4.3 It is considered the distance and angle of views from proposed dwellings towards the rear of properties on Arundel Road would prevent unacceptable overlooking impact and suitable separation is also maintained to prevent undue levels of overshadowing.
- 7.4.4 The proposed 3 bedroom dwellings would be entirely consistent with the residential use of the surrounding area and it is not considered that they would generate activities of a frequency and nature that would cause unacceptable disruption or nuisance towards neighbouring residents.
- 7.4.5 A condition would be used to secure a Construction Management Plan that would need to set out measures to prevent unacceptable noise, light and air emissions (including dust) as a result of construction works as well as routing and timetabling of deliveries, storage areas for materials, contractor vehicle marking and steps to prevent discharge and run off of contaminants.
- 7.4.6 It is therefore considered that residential amenities of neighbouring residents would not be compromised.

7.5 Living Conditions for Future Occupants

- 7.5.1 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.' This is echoed in policy CP11 of the Lewes District Joint Core Strategy.
- 7.5.2 All habitable rooms are served by clear glazed openings allowing for a good level of natural sunlight permeation and natural ventilation. The main living space at each property would be dual aspect, increasing exposure to natural light throughout the day. The layout of each dwelling is considered to be clear and uncluttered with hallway lengths kept to a minimum and awkwardly sized and shaped rooms being avoided, thereby enhancing functionality, accessibility and adaptability.
- 7.5.3 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended

Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants. Each of the proposed dwellings meets and exceeds the minimum standards set out in the document.

- 7.5.4 Units 1-5 (Claremont Road) would each have private rear gardens of approx. 73 m² in area with unit 6 having a larger garden due to being on a corner plot. Units 7-9 would have varied garden sizes due to the tapering nature of the site. These range from approx. 147 m² (unit 7) to 70 m² (unit 9). The garden sizes for all dwellings are considered to be suitable for the amenity needs of a family dwelling. It is noted that additional outdoor amenity space is provided for units 1-6 in the form of ground and first floor terraces.
- 7.5.5 The layout of the proposed development ensures that views from the rear windows of units 3-6 are directed, in the main, towards the flank elevations of units 7-9. The only windows installed within these elevations serve bathrooms (which would be obscure glazed) and a utility room and, as such, any views into these windows would not be intrusive. Rear windows at units 1 and 2 would overlook rear garden space at units 7-9. However, it is not considered these views would be overly invasive due to the distances maintained would be considered consistent with the level of overlooking of rear gardens of other dwellings within the surrounding area.

7.6 Parking Demand and Highway Impact

- 7.6.1 Each dwelling would be accessed via new dropped kerb crossover formed on Station Road and Claremont Road. A hard surfaced parking area would be provided to the front of each dwelling with capacity provided for 2 vehicles. An integral garage would also be provided although it should be noted that ESCC Highways only regard garages as providing 0.3 of a parking space due to census data indicating garages are more frequently used for storage than vehicle parking.
- 7.6.2 A number of letters of objection have raised concerns that the provision of extensive dropped kerbing would result in the loss of on street car parking and resultant pressure on the surrounding highway network due to the possibility of obstructive and dangerous parking. ESCC Highways acknowledged these concerns and, in response, requested the applicant submit a parking survey to demonstrate the parking capacity available on the surrounding highway network. A survey was duly submitted and reviewed by ESCC Highways. The survey demonstrates the surrounding highway network has the capacity to mitigate the loss of on street parking caused by the proposed dropped kerbs. It is also noted that the presence of dropped kerbs close to the junction between Claremont Road and Station Road may deter dangerous parking directly adjacent to the junction.
- 7.6.3 The quantum of off-street car parking provided (2 spaces per dwelling) is considered to be adequate to serve the development without resulting in additional pressure on the parking capacity of the surrounding highway network due to overspill.

- 7.6.4 With regards to trip generation, ESCC Highways have stated that there would be anticipated 50 two-way trips generated by the development across the course of a day, equating to 5 trips two-way in each of the peak periods. This figure is deemed to be an insignificant amount and would not have a material impact on the operation of the local highway network.
- 7.6.5 ESCC Highways have confirmed the visibility splays provided at each of the crossovers as acceptable to allow for oncoming pedestrians and traffic to be observed from a suitable distance away. No objections have been raised in relation to highway and pedestrian safety. All crossovers would need to be constructed in accordance with ESCC standards, which includes ensuring the gradient and camber allows for pedestrians to traverse them without discomfort.
- 7.6.6 The site is considered to be in a sustainable location. A bus stop directly adjacent to the site is served by a relatively infrequent service into Newhaven and nearby villages but there are more frequent services in the form of the Brighton to Eastbourne 'Coaster' accessible via the bus stop at Denton Corner, approx. 250 metres walking distance to the south of the site. There are also local shops at Denton Corner and a supermarket and edge of town shopping alongside the A259, approx. 450 metres from the site. Secure and covered cycle storage would be provided in the integral garage of each dwelling. It is considered that the sustainable location of the site and provision of cycle storage facilities would encourage uptake in use of alternative modes of transport to the private car.

7.7 Flooding and Drainage

- 7.7.1 The site is located in Flood Zone 1 and is not identified as being at risk from tidal, fluvial or surface water flooding. Notwithstanding this, the site is on a relatively steep slope and it is important that surface water is managed on site and not discharged onto neighbouring property or the public highway.
- 7.7.2 It is therefore important that a condition is attached to secure a suitable drainage scheme that follows sustainable drainage principles, favouring infiltration drainage where possible. The condition will require these details to be submitted prior to the commencement of any development of the site.

7.8 Sustainability in Development

- 7.8.1 Each of the proposed dwellings would have arrays of solar panels mounted on the flat roof. These would be angled to the south allowing for exposure to sunlight throughout the day. It is stated that lithium battery storage would be provided enabling power generated by the solar panels to be stored and used in hours of darkness, when there is a greater demand for electricity, thereby allowing for increased use of renewable energy. The buildings and fenestrations have been orientated to allow for good access to natural light.
- 7.8.2 Each dwelling would be provided with an electric vehicle charging point as required by the Technical Guidance Note for Electric Vehicle Charging Points. Secure and covered cycle parking would be

provided in the integral garages, from which there is easy access to the public highway. Given the supply of the above-mentioned facilities and the sustainable location of the site within relatively close proximity of shops and services, it is considered that the use of more sustainable modes of transport would be actively encouraged.

- 7.8.3 Although the site had been previously developed, the row of converted dwellings to the south has been removed for some time and the site had begun to revert to a more green setting. It is noted that site clearance has taken place, including the removal of boundary hedging. No significant landscape features are present within the site interior, nor were they prior to clearance. There is, however, a mature silver birch adjacent to Claremont Road that would need to be removed in order for the proposed development to be accommodated.
- 7.8.4 The green space to be maintained to the south of the site is considered to represent an opportunity for native planting and habitat creation. It is considered that this could be achieved by way of a planning condition that would also secure its retention and guard against attempts to develop the site in future. Mammals such as hedgehog may use the site and surrounding gardens for foraging. The majority of the proposed rear gardens would be provided as a lawn and a condition will be used to ensure that mammal gates are provided in boundary fencing in order to allow hedgehogs and other small mammals to commute between sites as they forage.
- 7.8.5 The general appearance of the proposed external materials is listed but the exact specifications are not confirmed. A condition can be applied to secure details of the exact materials to be used with an emphasis being placed on the use of locally sourced materials.
- 7.8.6 It is therefore considered that the proposed development would fulfil the aims and objectives of the Sustainability in Development TAN.

7.9 Biodiversity:

- 7.9.1 The Technical Advice Note (TAN) for Biodiversity Net Gain states that there is an expectation for minor development (9 new dwellings or less) to incorporate some biodiversity net gain. As stated above, the additional landscaping associated with the development can be utilised to provide biodiversity net gain. Habitat in the form of bat and bird boxes could also be provided in appropriate locations. This approach is in line with para.023 of the Planning Practice Guidance for the Natural Environment which states that 'planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity.'

7.10 Circular Economy:

- 7.10.1 The proposed development involves the use of an existing brownfield site for the construction of 9 new dwellings utilising modern, energy efficient materials. There are existing buildings on site that would need to be removed. These buildings were not designed as dwellings and do not readily engage with the street scene. As such, the

conversion of the buildings would not represent an efficient use of the site and would be unlikely to provide suitable living conditions. A condition will be used to secure a site management plan in order to ensure that building materials can be recycled where feasible and appropriate.

- 7.10.2 Although parts of the site would be levelled to accommodate the development it is stated that imported soil would not be required and, as such, the levelling works would be achieved through the redistribution of existing soils present on site.
- 7.10.3 A Construction Management Plan, which would be secured by condition, can be used to ensure that local building material providers are used where possible.
- 7.10.4 The site is in a sustainable location close to local shops and services as well as Newhaven Town Centre and it is therefore expected that future occupants would provide custom for a range of nearby shops, services and other commerce.
- 7.10.5 The dwellings have good size gardens with the capacity to accommodate extensions or outbuildings that may be added at a future date. The integral garages could also potentially be converted to habitable rooms in the future as there is sufficient parking provided on the hard surfacing to the front of each site. Units 1-6 incorporate an office/study area on the lower ground floor, supporting home working.

8. Human Rights Implications

- 8.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

9. Recommendation

- 9.1 It is recommended that permission is granted subject to the conditions listed below.

9.2 Conditions

- 1. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Location and Block Plans	23 rd March 2021	2044.LP01A
Highways Site Layout Plan	23 rd March 2021	2044.H01A
Proposed Site Layout + Roof Plan	23 rd March 2021	2044.PL01A
Typical Units 1-6 Floor + Roof Plans	22 nd December 2020	2044.PL02
Typical Units 7-9 Floor +	22 nd December	2044.PL03

PLAN TYPE	DATE RECEIVED	REFERENCE
Roof Plans	2020	
Units 1-6 Front, Rear + Side Elevations	22 nd December 2020	2044.PL05
Units 7-9 Front, Rear + Side Elevations	23 rd March 2021	2044.PL06A
Units 1-6 Site Sections	22 nd December 2020	2044.PL07
Units 7-9 Site Sections	23 rd March 2021	2044.PL08A
Site Sections	23 rd March 2021	2044.PL09A
Design & Access Statement	23 rd March 2021	Rev A
Planning Statement	23 rd March 2021	Dated 3 rd March 2021

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

- The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area in accordance with policy CP11 of the Lewes District Local Plan Part 1 and policy DM25 of the Lewes District Local Plan Part 2 and policy D1 of the Newhaven Neighbourhood Plan.

- Notwithstanding the details shown on plans 2044.PL01A and 2044.H01A, access to rear gardens shall be provided from the front of each property only and the rear access path shown on the plans shall not be provided or used.

Reason: In the interest of security and the amenities of future occupants in accordance with policy CP11 of the Lewes District Local Plan Part 1 and policy DM25 of the Lewes District Local Plan Part 2 and policy D1 of the Newhaven Neighbourhood Plan.

- Development shall not commence until a drainage strategy detailing the means of foul and surface water disposal and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority. The strategy must follow sustainable drainage principles. The development shall thereafter be carried out in accordance with the approved scheme and timetable and before any of the dwellings are occupied.

Reason: In order to control surface water generated by the development is controlled within and does not result in run off onto neighbouring land or the public highway in the interest of the amenities of the occupants of the development as well as its neighbours and road safety in accordance with policy CP12 of the Lewes District Local Plan, policy D2 of the Newhaven Neighbourhood Plan and para. 163 of the NPPF.

- No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- means of reusing any existing materials present on site for construction works,
- the method of access 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 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.
- address noise impacts arising out of the construction;
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;
- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to Policy CP11 of the Lewes District Local Plan part one, policies DM20 and DM23 of the Lewes District Local Plan part 2 and the Circular Economy Technical Advice Note.

6. No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority.

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

7. The access shall not be used until visibility splays of 2.4m by 43m are provided in both directions and maintained thereafter.

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

8. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

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

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

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

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

1. A preliminary risk assessment which has identified:

- (a) all previous uses

- (b) potential contaminants associated with those uses

- (c) a conceptual model of the site indicating sources, pathways and receptors

- (d) potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To ensure that risks from 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 para. 178 of the NPPF.

11. 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 para. 178 of the NPPF.

12. If, during development, contamination not previously known 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 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 para. 178 of the NPPF.

13. Prior to the first occupation of any part of the development hereby permitted, an electric vehicle charging point shall be provided for each dwelling and shall be maintained in an operable condition thereafter for the lifetime of the development.

Reason: To encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with Policies CP13 and CP14 of Lewes District Local Plan, Policy D2 of the Newhaven Neighbourhood Plan, para. 110 of the Revised National Planning Policy Framework , the LDC Electric Vehicle Charging Points Technical Guidance Note. And the LDC Sustainability in Development Technical Advice Note.

14. Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- Details of all hard surfacing;
- Details of all boundary treatments (including provision of mammal gates to allow for foraging animals to cross the site);
- Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees;

- Ecological and biodiversity enhancements;

All ecological/biodiversity enhancements shall be maintained in place in perpetuity. All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the development incorporates sympathetic landscaping that amalgamates with surrounding landscaping, is appropriately and sympathetically screened and provides a secure and safe environment for future occupants in accordance with section 12 of the revised NPPF, policies CP10 and CP11 of the Lewes District Local Plan part one and policies DM25 and DM27 of the Lewes District Local Plan part two, policy NE1 of the Newhaven Neighbourhood Plan and the Biodiversity Net Gain Technical Advice Note (TAN).

15. The proposed development shall not be occupied until the carbon saving/renewable energy measures set out in section 5 of the Design & Access Statement as well as any other suitable energy saving measures have been installed in accordance with full specifications to be submitted and approved by the Local Planning Authority. All measures approved shall thereafter be maintained in place throughout the lifetime of the development.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with section 14 of the Revised National Planning Policy Framework, policy CP14 of the Lewes District Core Strategy, policy D2 of the Newhaven Neighbourhood Plan and LDC Sustainability in Development Technical Advice Note.

16. Prior to the commencement of development a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Waste Management Plan shall demonstrate how the procurement of materials for the development would promote sustainability, including by use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste, use of local suppliers.

Reason: In the interest of achieving sustainable development in accordance with section 14 of the Revised National Planning Policy Framework, policy CP14 of the Lewes District Core Strategy, policy D2 of the Newhaven Neighbourhood Plan and LDC Sustainability in Development Technical Advice Note.

17. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried

out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy DM25 of the Lewes District Local Plan.

Informatives

1. The applicant will be required to enter into a Section 184 Licence with East Sussex Highways, for the provision of a new vehicular access. The applicant is requested to contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.
2. The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.

10. **Background Papers**

10.1 None.