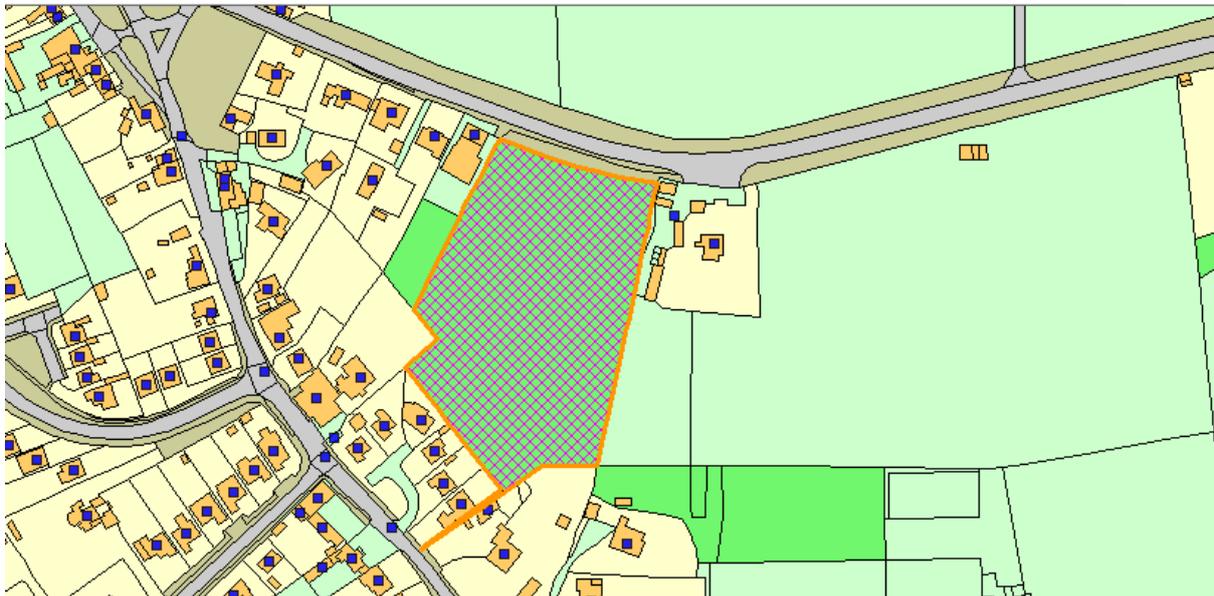


**Report to:** Planning Applications Committee  
**Date:** 8 June 2022  
**Application No:** LW/21/0700  
**Location:** Land at the Telephone Exchange, Goldbridge Road, Newick  
**Proposal:** Erection of 36 dwellings (including 40 % affordable), access, landscaping and associated infrastructure (re-submission)  
**Ward:** Newick  
**Applicant:** Constantia Estates Ltd  
**Recommendation:** Delegate authority to the Head of Planning to approve following confirmation of connection of surface water drainage infrastructure to the highway drain, subject to conditions listed in this report and a Section 106 legal agreement to secure affordable housing, highway works, SANGs (Suitable Alternative Green Space) and SAMMs (Strategic Access Management and Monitoring) contributions and off-site ecological enhancements.

**Contact Officer:** **Name:** James Smith  
**E-mail:** [james.smith@lewes-eastbourne.gov.uk](mailto:james.smith@lewes-eastbourne.gov.uk)

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**Map Location:**



**1. Executive Summary**

1.1 The proposed development is considered to represent sustainable development. It would provide environmental gains by way of introducing new habitat as part of the site landscaping scheme and reducing pressure to develop surrounding greenfield sites. It would provide social gains by facilitating a net gain of 26 residential units (including 10 affordable housing units) that would be of good quality and in an accessible and sustainable location. It would provide

economic benefits by generating additional custom for nearby shops and services.

- 1.2 The applicant has submitted layout, design, scale and landscaping details demonstrate the site is capable of accommodating the development. Consultee responses from relevant stakeholders provide assurances that the development could be carried out without harm to the landscape, ecology, highway safety, flood risk or the historic environment.
- 1.3 Although the surface water drainage scheme has been agreed in principle, confirmation that surface water drainage infrastructure can connect to the highway drain is awaited from Xais (acting on behalf of ESCC Highways).
- 1.4 It is therefore recommended that the application is approved subject to relevant conditions and a section 106 agreement securing policy compliant affordable housing provision, ecological enhancements and contributions towards measures to mitigate the impacts upon local protected landscape/habitats.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework 2021

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

15. Conserving and enhancing the natural environment

14. Conserving and enhancing the historic environment

### 2.2 Lewes District Local Plan (Parts 1 and 2)

LDLP1: – CP2 – Housing Type, Mix and Density;

LDLP1: – CP10 – Natural Environment and Landscape;

LDLP1: – CP11 – Built and Historic Environment & Design

LDLP1: – CP12 – Flood Risk, Coastal Erosion and Drainage

LDLP1: – CP13 – Sustainable Travel

LDLP1: – CP14 – Renewable and Low Carbon Energy

LDLP2: – DM14 – Multi-functional Green Infrastructure

LDLP2: – DM15 – Provision for Outdoor Playing Space

LDLP2: – DM16 – Children's Play Space in New Housing Development

LDLP2: – DM20 – Pollution Management

LDLP2: – DM22 – Water Resources and Water Quality  
LDLP2: – DM23 – Noise  
LDLP2: – DM24 – Protection of Biodiversity and Geodiversity  
LDLP2: – DM25 – Design  
LDLP2: - DM26 - Refuse and Recycling  
LDLP2: – DM27 – Landscape Design  
LDLP2: – DM33 – Heritage Assets

### 2.3 Newick Neighbourhood Plan

HO1 – Housing  
HO3 - Land to the east of Newick Telephone Exchange  
EN1 – Landscape Character and Conservation Areas  
EN2 – Wildlife Corridors  
EN4 – Footpath and Twitten Network  
TC1 – Sustainable Modes of Transport

## 3. **Site Description**

- 3.1 The site falls within the planning boundary. It comprises a single, broadly rectangular grass field that is enclosed by hedgerow which is patchy in places. There are a number of trees at various stages of maturity interspersed along the hedge line. The ground level rises gently from Goldbridge Road towards the south. The site lies on the eastern edge of the village of Newick, with countryside in the form of a patchwork of enclosed fields and woodland extending to the north and east.
- 3.2 The northern site boundary flanks Goldbridge Road (A272). The eastern boundary flanks a field at Woods Fruit Farm, the western part of which is allocated for residential development under HO4 of the Newick Neighbourhood Plan. Dwellings on Church Road and Bannisters Field back on to the southern site boundary whilst the western boundary flanks the sides of gardens of properties on Goldbridge Road and Church Road. There is a narrow path connecting the site to Church Road, flanking the eastern boundary of No. 6 Bannisters Field. This path is not part of the public footpath network.
- 3.3 The south-eastern corner of the site abuts the Newick (Church Road) Conservation Area whilst the Newick (The Green) Conservation Area extends to within approx. 75 metres of the western site boundary. Both Conservation Areas contain a number of Listed Buildings. The south-eastern part of the site falls within an Archaeological Notification Area. The entire site falls within the 7km zone of influence maintained around the boundary of Ashdown Forest.

- 3.4 Other than those mentioned above, there are no specific planning designations or constraints attached to the site or the immediate surrounding area.

#### 4. **Proposed Development**

- 4.1 The application seeks full planning permission for the residential development of the site to provide 36 new dwellings and associated infrastructure. The dwelling mix would comprise 12 x 1 bed flats (33%), 18 x 2 bed dwellings (50%), 5 x 3 bed dwellings (14%) and 1 x 4 bed dwelling (3%). 14 units would be provided as affordable housing, these being all of the 1 bed flats and two of the 2 bed dwellings. (This is subject to change in the negotiation of the S106 Agreement upon advice from the Council's Housing Officer in relation to including an element of First Homes).
- 4.2 All dwelling houses would be two-storey. The 2 bedroom dwellings would all be semi-detached whilst the 3 and 4 bed dwellings would be detached. The flats would be accommodated within two free-standing blocks, each with three-storeys (the third being incorporated within the roof space).
- 4.3 The site would be accessed via a new junction formed on the southern side of Goldbridge Road. The internal road would form a loop, with buildings flanking three sides, and a 'pocket park' formed on the island of land created by the looped road. The western portion of the loop would be a shared surface. The majority of the 2 bedroom dwellings would have a single allocated parking bay to the front. 5 x 2 bed dwellings would have two allocated spaces in a similar arrangement. The 3 and 4 bed dwellings would each have 3 x allocated spaces provided to the front/side. Each block of flats would have a car parking area provided to the rear/side, one area providing 7 x spaces and the other providing 10. A further 9 x visitor car parking bays would be provided around the central pocket park. The development would provide 67 x car parking bays, with two dwellings provided with garages contributing a further 0.66 parking capacity as per ESCC Highways methodology.
- 4.4 An internal footway would be provided on the site and would extend to connect with the existing footway on Goldbridge Road on both sides of the proposed junction.

#### 5. **Relevant Planning History**

- 5.1 **LW/20/0517** - Erection of 32 dwellings (including 40 % affordable), access, landscaping and associated infrastructure – Withdrawn 21<sup>st</sup> August 2021

#### 6. **Consultations**

- 6.1 Consultations:

**Southern Water**

Southern Water can facilitate foul and surface water sewerage run off disposal to service the proposed development.

### **Newick Parish Council**

Newick Parish Council (NPC) The application be refused in its current form NPC are pleased that applications to develop this site, identified as HO3 in our Neighbourhood Plan, have at last been submitted. It is however, disappointing to see that this second submission, like the first one, lacks vision for layout and design and pays little regard to the Policies contained within the NNP for this site. Within this Sussex village the developer has used the London Housing Design Guide in developing his proposal and in an attempt to justify this, stated in Section 5 of the D & A Statement that "There are several new developments of a similar nature currently being built around Sussex and these provide a benchmark for the type of new home that is currently on offer in terms of size and provision." This may be the case for some sites in some locations, but that does not make it suitable or appropriate for ALL sites. This is particularly when the site in question, with its extensively paved urban appearance, is located adjacent to a conservation area.

This particular site was allocated 30 homes in the carefully considered NNP to provide adequate space for it to be developed in accordance with the provisions of the Plan. The NNP was adopted by LDC within its Local Plan. It is only by ignoring the provisions of these Plans that the applicant could seek to increase the housing numbers by 20% and simultaneously use less than the full area available.

### **Sussex Police (summarised)**

The development consists of a upside down T shape layout with a central green space accessed by vehicles and pedestrians off Goldbridge Road and a pedestrian only access off Church Road in the South. The dwellings face outward creating good active frontage with good surveillance over the street and public areas. Parking is being provided with garage, on-curtilage, parking courts and a number of on-street parking bays. This should leave the street layout free and unobstructed.

Concerned about proposed pedestrian link. It regards the safety of the residents when using the proposed link on the southern elevation that links the development to Church Road, and the security of the development. This link brings unobserved non-essential access into the site increasing the permeability unnecessarily. I understand that this would provide a quick and easy link to the utilities on Church Street, but it is not suitable in its present form. Para 8.3 of SBD Homes 2019 V2 states; Whilst is accepted that through routes will be included within the development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability, for instance by allowing the criminal legitimate access to the rear or side boundaries of dwellings or by providing too many or unnecessary segregated footpaths.

Where a segregated footpath is unavoidable it should be as straight as possible, wide, well lit, devoid of potential hiding places, overlooked by surrounding buildings and activities and well maintained so as to enable natural surveillance along the path and its borders.

Lighting throughout the development will be an important consideration and where it is implemented it should conform to the recommendations within BS 5489-1:2013. SBD considers that bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Sussex Police would have no objection to the proposed development as submitted from a crime prevention perspective subject to my above observations, concerns and recommendations being satisfactorily addressed.

### **Lead Local Flood Authority**

The additional information/clarifications provided by the applicant addresses most of the LLFA's concerns relating to the design of the surface water drainage network (as raised in our letter dated 23 February 2022). However, we note that the applicant is still in the process of obtaining approval from East Sussex Highways to discharge surface water into their network. In view that the entire drainage network relies on this outfall arrangement, we will not be in a position to recommend approval of this application until confirmation of this agreement is provided.

OFFICER COMMENT: The request has been in progress with Xais, who act on behalf of ESCC Highways. As is the case with connections to the Southern Water network, confirmation that an agreement has been made would be required prior to the commencement of development and this would be secured by planning condition.

### **ESCC Highways**

All highway issues have been resolved and the application proposal is now acceptable subject to off-site Highway Works, Travel Plan Statement, Travel Plan Audit Fee, and contributions secured through a s106 agreement, and highway conditions

### **Contaminated Land Officer**

No Objection subject to conditions

### **Air Quality Officer**

As this is a major application, the developers are required to submit an air quality assessment for approval. The applicants are also required to submit an emissions mitigation assessment.

OFFICER COMMENT:

The application relates to an allocated site that was subject to an appropriate assessment at the time it was included in the Newick Neighbourhood Plan.

Appropriately worded conditions can be used to secure emission mitigation measures such as low emission boilers, energy efficient materials and renewable energy generation. Each dwelling would also be provided with electric vehicle charging facilities as per policy requirements.

### **ESCC Ecology (comments from previous application)**

Provided the recommended mitigation, compensation and enhancement measures are implemented, the proposed development can be supported from an ecological perspective.

OFFICER COMMENT: The current application incorporates the same ecological details as the previous scheme and the ecologist comments are therefore considered valid for the current application.

### **ESCC Archaeology**

The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions

### **ESCC Rights of Way Officer (comments from previous application)**

I'm afraid I don't think this is viable as a public footpath. It is less than a metre wide. It couldn't be widened and so couldn't be 'adopted'. Consequently it couldn't be lit either. It would be an unsatisfactory path.

## **7. Neighbour Representations**

7.1 A total of 12 letters of objection have been submitted by members of the public. A letter of objection has also been submitted by the Newick Village Society. A summary of the relevant content of all letters is provided below:-

- Documents were missing from the original submission;
- The site does not include the full area of the allocation;
- The footpath from Church Road is not in use and is not suitable to serve the development;
- It is unclear who owns the footpath;
- Separation distances are not sufficient to prevent overlooking of properties on Bannisters Field, which have short gardens;
- The density of the development on the boundary shared with Bannisters Field is more dense than the previous submission;
- Boundary screening and landscaping is insufficient to provide privacy;
- Surface water run-off from Bannisters Field has not been taken into account as part of the surface water drainage scheme for the development;
- Some buildings are over two-storeys height and would appear overly prominent on the approach to the village and are contrary to the neighbourhood plan;
- More houses than the allocation allows for;
- Tallest buildings are on the highest part of the site so would be more prominent;
- The remainder of the allocated site may be developed at a later date and this may lead to the formation of an unsuitable access;
- Government white paper on planning for the future instructs increased emphasis on design guidance such as those set out

in the Neighbourhood Plan and the proposed development does not adhere to this;

- The cumulative impact of turnings to the site and the neighbouring Woods Farm site may result in unacceptable urbanisation;
- There is already too much traffic on the A272;
- Would overload infrastructure;
- There is no commitment to improve the footpath to the rear of the site;
- There are no provisions for a footpath connection to the neighbouring site at Woods Fruit Farm;
- The site layout is rigid and uninteresting;
- Car parking is visually prominent, contrary to the neighbourhood plan;

OFFICER COMMENT: Based on comments from Sussex Police and ESCC Rights of Way Officer, the footpath from Church Road would present a security risk and is also substandard in terms of width. As it is positioned between two private plots there is no scope for it being widened and, therefore, it is not considered to represent a viable means of access to the site. Documentation not included with the original planning submission was received at a later date and the application was readvertised. Other matters raised are assessed in the main body of this report.

## 8. Appraisal

### 8.1 Key Considerations

- 8.1.1 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, the quality of the accommodation to be provided and the degree to which it meets identified housing needs and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.
- 8.1.2 Due to proximity to the Ashdown Forest, which is designated as a Special Protection Area (SPA) and Special Area of Conservation (SAC) it is critical that an assessment into impact upon conservation objectives on the first is undertaken as per Part 6 of The Conservation of Habitats and Species Regulations 2017. Particular emphasis is required as to the recreational pressure that may be generated as a result of an increased in population close to the forest.
- 8.1.3 In order to deliver on policy requirements relating to provision of affordable housing and protection of the Ashdown Forest, the applicant will be required to enter into a section 106 agreement to deliver a policy compliant amount of affordable housing and financial

contributions towards Sustainable Alternative Natural Greenspace (SANGs) and the Strategic Access Management and Monitoring Strategy (SAMMs) for the forest.

## 8.2 Principle

- 8.2.1 The site falls within the planning boundary where the general principle of residential development is acceptable as per policy DM1 of the Lewes District Local Plan Part Two (LLP2). Newick is defined as a rural service centre in the settlement hierarchy in table 2 of Lewes District Local Plan Part One (LLP1). Characteristics of rural service centres are identified Sustainable locations (with either a frequent bus or rail service) with a number of key services and facilities that meet many day to day needs of their residents and those from the wider rural hinterland.
- 8.2.2 The site is allocated for residential development in the Newick Neighbourhood Plan under policy HO3. A number of parameters and objectives are set out in the policy and the way in which the submitted scheme responds to these will be investigated in the main body of this report.
- 8.2.3 Para. 8 of the Revised National Planning Policy Framework (NPPF) defines sustainable development as comprising three overarching objectives, these being to respond positively to economic, environmental and social needs. Para. 10 goes on to state that there should be a presumption in favour of sustainable development.
- 8.2.4 As LLP1 is now over 5 years old, the housing delivery target set out in policy SP1 (approx. 275 net dwellings per annum) is obsolete and the target now worked towards is therefore based on local housing need calculated using the standard method set out in national planning guidance as per para. 74 of the National Planning Policy Framework (NPPF). This has resulted in the delivery target rising to 782 dwellings per annum.
- 8.2.5 Due to this increase in housing delivery targets, Lewes District Council is no longer able to identify a 5 year supply of specific deliverable sites for housing. Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This approach effectively adopts a 'tilted balance' in favour of development.
- 8.2.6 Policies CP2 of the Lewes District Local Plan part one provides a list of objectives to be applied to new housing development within the district. This includes a requirement for housing development that meets the needs of the district to be accommodated in a sustainable way, to conserve and enhance the character of the area in which it will be located, to maximise opportunities for re-using suitable previously developed land and to plan for new development in highly sustainable

locations. Development should incorporate a suitable mix of accommodation and be socially inclusive.

- 8.2.7 From a housing delivery perspective, para. 69 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing need, particularly as development on such sites is often built-out relatively quickly.
- 8.2.8 Although the proposed development would incorporate an additional 6 dwellings above the neighbourhood plan allocation for 30 dwellings on the site, this intensification must be seen in context with NPPF objectives to make optimal use of the potential of each site as per para. 125.
- 8.2.9 The proposed development is therefore considered to be acceptable in principle and, as such, will be assessed on the balance of its economic, social and environmental merits in full accordance with the principle of supporting sustainable development as set out in paras 8, 11 and 12 of the Revised National Planning Policy Framework as well as NPPF considerations and any aligned development plan policies relating to design, amenity impact, carbon reduction, landscaping, pollution control and ecological enhancements.

### 8.3 Planning Obligations

- 8.3.1 The proposed scheme represents major development (more than 10 new dwellings) and, as such, there is a requirement for affordable housing to be provided, at a rate of 40% of the total number of units as per Policy CP1 of the Lewes District Core Strategy. This amounts to a provision of 14.4 units. In order to fully comply with the standards set out in the Lewes District Council SPD for affordable housing, 14 units would need to be incorporated into the development with the remaining 0.4 unit required being secured as a pro-rata commuted sum.
- 8.3.2 The applicant has confirmed that affordable housing would be provided in compliance with the requirements of CP1 and a Section 106 legal agreement has been drafted to secure this. The mix proposed is heavily skewed towards 1 bed flats with all 12 being allocated as affordable housing (86% of the total provision). The additional 2 affordable units would be 2 bed dwellings. A section 106 agreement would be used to secure the provision of affordable housing as well as a timetable/trigger for its delivery. This could also include an element of First Homes depending on the advice from the Councils Housing advisor.
- 8.3.3 Any section 106 would also include a mechanism to secure SANGs and SAMMs payments as the site falls within the 7km Ashdown Forest zone of influence. SANGs contributions are charged at £5,000 per dwelling whilst the SAMMs tariff is £1,170 per dwelling. The total contribution to be secured would therefore be £222,120 (£180,000 for SANGs, £42,120 for SAMMs).

- 8.3.4 Highway works requested by ESCC Highways and off-site ecological enhancements approved by the County Ecologist would also be secured within the agreement.
- 8.3.5 The highway works/contributions requested by ESCC are as follows:-
- 8.3.6 Travel Plan Statement developed in accordance with ESCC Travel Plan Guidance for developers (Feb 2020) including Travel Plan Audit Fee of £4,500
- 8.3.7 Access from Goldbridge Road including road markings etc as shown illustratively on plan No. 6295\_200 P3.
- 8.3.8 New 2 metre wide footways around the bellmouth of the access and widening of existing footway to 2 metres along the whole of the site frontage of Goldbridge Road to connect to existing footways as shown illustratively on drawing Nos. 6295\_200 P3.
- 8.3.9 Appropriate uncontrolled crossing points [dropped kerbs and/or tactile paving] across the access bellmouth and across access roads to connect the site to Newick Village and bus stops to the west.
- 8.3.10 A £5,000 contribution towards the administrative costs of a Traffic Regulation Order for extension of the 30mph speed restriction.
- 8.3.11 The ecology contributions relate to the creation of a 0.5 hectare area of native tree planting on an area of improved grassland as Newhouse Farm on Station Road to the north of Isfield, approx. 3.5km to the south-east of the site.

#### 8.4 Site Access:

- 8.4.1 There is an existing dropped kerb access from Goldbridge Road which leads to a field gate positioned towards the western edge of the site. This access would not be suitable for the proposed development and a new access would be formed onto Goldbridge Road in a roughly central position along the northern site boundary.
- 8.4.2 The access would cross over existing grass verge and hedging and pass through the currently rather sparse line of trees and hedgerow which marks the northern boundary of the site. The access would have a bellmouth layout, with a width of 22 metres where it meets the highway tapering to 6.1 metres over a distance of approx. 9.3 metres from the junction opening.
- 8.4.3 The proposed splays are 2.4 metres by 112 metres and 2.4 metres by 116 metres to the east and west respectively. Submitted access plans show these splays can be provided over land either in the control of the applicant or ESCC Highways and could therefore be maintained free of obstruction subject to routine cutting back of sections of hedgerow.
- 8.4.4 It is anticipated that the proposed development would generate 132 additional private car trips over the course of a 12 hour weekday (7am – 7pm). This would include an additional 12 trips in both the morning and evening peak hour for road use (8-9am and 5-6pm). This is considered not to be materially harmful to the local highway network.

- 8.4.5 Tracking plans have been submitted as part of the Transport Statement and these demonstrate that a fire appliance and 12 metre long refuse vehicle could enter and leave the site in forward gear by completing the loop that the internal access road forms.
- 8.4.6 The only realistic means of accessing the site is from Goldbridge Road and there are no existing access points that could be utilised. The positioning of the access allows for suitable visibility over the bend in the road to east of the site as well as the straighter section to the west that continues into the village. The width of the access is appropriate for use by two way traffic, including servicing vehicles, of a volume and intensity that a development of the size proposed would be expected to generate.
- 8.4.7 The new access would include 2 metre wide pedestrian footways on either side of the new access. These footways would link with the existing pedestrian footway running along the northern boundary of the site, providing a connection with the village to the west and the Woods Fruit Farm site to the east. The width of the existing footway around the site access would be increased from its current 1.5 metres (approx.) to 2 metres, thereby increasing its functionality and accessibility.
- 8.4.8 There is also an existing pedestrian connection to Church Road which runs between the plots at 6 Bannisters Field. It is narrow, relatively long (at approx. 45 metres), is not hard surfaced or illuminated and is not a public right of way. Policy HO3.5 of the Newick Neighbourhood Plan states that this connection should be improved so as to be made suitable and available for public use. Due to its positioning between two residential plots there is no scope for the widening of the footpath and its narrowness also precludes the installation of external lighting (which would also cause a potential nuisance to occupants of Church Road and Bannisters Field, particularly as neither street has external lighting in the vicinity of the site. Sussex Police also have strong reservations about the use of this footpath as a means to access the development due to the security risks at prevents as a consequence of low levels of surveillance and the secluded and constrained environment provided.
- 8.4.9 The footpath does not provide a shorter connection between the site and the centre of the village nor does it lead to any public transport connections. It also does not significantly reduce walking distance from the site to the pub, restaurant and other businesses on Church Road, all of which are within approx. 400 metre walking distance from the site when accessed via Goldbridge Road and The Green.
- 8.4.10 It is therefore considered that the submitted site access arrangements provide sufficient capacity to serve the development and would not result in an unacceptable highway or pedestrian safety hazard. The proposed scheme is therefore considered to comply with LLP1 policies CP7 and CP11, LLP2 policy DM25, paras. 110, 111 and 112 of the National Planning Policy Framework (NPPF) and the highway related criteria set out in policies HO1 and HO3 of the Newick Neighbourhood Plan.

## 8.5 Visual Impact

- 8.5.1 Para. 126 of the NPPF states that ‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.’ Para. 127 states that design policies should be ‘grounded in an understanding and evaluation of each area’s defining characteristics.’ Area-wide, neighbourhood or site-specific design codes or guides are identified as a means to fulfil these objectives. Lewes District Council does not currently have any adopted design code or guide and, in such instances, para. 129 of the NPPF instructs that national documents should be used to guide decisions on applications. There is general design criteria included in the Newick Neighbourhood Plan as part of the site allocation and this will also be referred to in the assessment of the application.
- 8.5.2 The National Design Guide and National Model Design Code Part 2 Guidance Notes both identify context as an important consideration when looking at how a development would impact upon the character of an area. Para. 39 of the National Design Code states that well designed places are ‘based on a sound understanding of the features of the site and the surrounding context, integrated into their surroundings so they relate well to them, influenced by and influence their context positively and responsive to local history, culture and heritage.’
- 8.5.3 The site is located on the eastern approach of the main route into Newick, the A272. Although it is currently undeveloped the area immediately to the rear on Church Road represents a historic part of the village and the eastern boundary of the proposed development is consistent with the eastern extent of development in Church Road. It is therefore considered that development in the site would assimilate well with the existing form of the village and would not appear isolated or disruptive. The combination of development flanking Goldbridge Road and that set behind it on The Green, Church Road and Bannisters Field is considered to provide a depth to development that allows for dwellings to be set back from the road without compromising any existing corridors of green space maintained to the rear of properties lining Goldbridge Road.
- 8.5.4 Although an additional 6 dwellings are to be provided above the neighbourhood plan allocation of 30 dwellings for the site it is important to note the need to develop site efficiently, particularly in instances where the Council is not meeting obligations in terms of housing land supply, as per para. 125 of the NPPF. It is also important to note that 12 of the dwellings would be provided as 1 bed flats and, therefore, be concentrated over a relatively modest building footprint. Overall, the density of the development would be approx. 30.9 dwellings per hectare which is very marginally above the parameters for village development set out in policy CP2 (3) of LLP1 (20-30 dwellings per hectare). Given that 12 units would be provided over a relatively small footprint in the form of the proposed flats, the need to use sites in the most efficient manner given the Council’s failure to

identify a sufficient supply of housing land, it is considered that the residential density of the development is appropriate in this instance.

- 8.5.5 It is noted that an appeal against the refusal of a development of the adjacent Woods Fruit Farm site, which increased the amount of housing provided by approx. 81% over the neighbourhood plan allocation, was dismissed by the Planning Inspectorate. However, the dismissal of the appeal was not based on the intensification of the development on its own but rather the encroachment of the development on land outside of the allocation and the resultant impact upon rural character. This could not be applied to the current application which is wholly within the site allocation and Newick settlement boundary.
- 8.5.6 The proposed dwellings on the northern part of the site would be orientated at right angles to Goldbridge Road. The flank elevations of each of the northernmost dwellings would therefore face out onto Goldbridge Road although the frontage of dwellings on the eastern and western side of the development would be partially seen when approaching from the west and east respectively, allowing for a level of engagement with the street where views are not filtered by proposed landscaping on the northern boundary. The provision of this landscaping, as required by policy HO3.2 of the Newick Neighbourhood Plan, and the need to maintain visibility splays is prohibitive to frontage development and, for a development of the size proposed, it is considered reasonable to expect it to create its own identity and street scene rather than to contribute solely to the character of existing streets. It is considered that this is achieved through the use of the central pocket park which each dwelling within the development faces towards, creating focal point and a shared area that would foster community mixing and cohesion as encourage by para. 92, 93 and 130 of the NPPF.
- 8.5.7 The development incorporates 24 x dwellings comprising 6 different designs are included. Plot size/width is relatively uniform for each type of dwelling as is the orientation of dwellings in relation to the internal access road. The degree of set back of each dwelling from the road is also largely consistent, resulting in three distinct building lines being maintained across the three axes of the development. Each dwelling design is considered to possess a good sense of identity through the use of strong architectural features such as bay windows, steep gable ends, porches, window arches, string courses and elevation wall features. The clustering of dwellings, with relatively small gaps maintained between individual buildings is considered the provide a level of intimacy that is consistent with the wider character of the village whilst the mix in dwelling design would help create a more organic and informal appearance to the development, which is considered to be sympathetic towards the general character of the village, where the general absence of uniformity in building design in residential development has helped to prevent an unacceptable sense of suburbanisation from arising.

- 8.5.8 External materials and finishes are important both in the context of visual integration and consistency with the surrounding built environment as well as in the interest of improving sustainability and reducing embodied energy associated with production and transportation. Policy HO1 of the Newick Neighbourhood Plan identifies the importance of the use of appropriate materials as a means to assist visual integration. A condition will therefore be attached to any approval given requiring the submission of specifications and samples of a full palette of external materials for approval prior to any being applied on site.
- 8.5.9 It is considered that the layout of the proposed development provides connectivity with the surrounding urban environment, particularly through pedestrian links to the centre of the village but also through the way in which the layout engages with existing development to the south and west resulting in a clear sense of integration and a well defined urban edge to the village. At the same time, connectivity of the natural environment is considered to be maintained through site landscaping which would provide connectivity between the green space of the pocket park and new hedge and tree planting to the front of the site and through the rear gardens of proposed dwellings which would back onto the rear gardens of existing dwellings to the south and west and onto the Woods Fruit Farm site to the east.
- 8.5.10 Policy HO1.3 of the Newick Neighbourhood Plan states that 'all buildings forming part of the developments covered by Policies HO2, HO3, HO4 and HO5 shall be of a height no greater than two storeys, though this would not preclude the use of roof space.' The proposed development includes two blocks of flats, both of which have accommodation distributed over three floors. Whilst the top floor of these blocks would not be wholly located within the roof space of the building due to the eaves height being raised, the majority of the overall volume of each flat would be above eaves height and the overall height of each block would be broadly consistent with the neighbouring two-storey dwellings, with the ridge height being approx. 1.7 metres above that of the lowest dwellings and approx. 0.5 metres above that of the larger dwellings.
- 8.5.11 Although the proposed flats would be positioned on slightly raised ground, they would be positioned towards the centre of the site rather than a prominent location towards the edge of the development and, due to the clustered layout of the development, it is considered that the marginally higher ridge line of the roof would integrate well with the roof scape of the development, where there would also be minor variations in roof height between individual dwellings. Overall, roof ridge height across the development ranges from approx. 8.6 metres (2 bed type 1 dwelling) to approx. 9.75 metres (3 bed type 1 dwelling) with ridge height of the blocks of flats at approx. 10.28 metres. Based on planning records, the ridge height of the original 5 dwellings within the adjacent Bannisters Field development is approx. 8.4 metres, with the 6<sup>th</sup> dwelling being approx. 9 metres. The site also backs on to 33 Church Road which is a taller building with rooms in the roof. (No

plans were available to provide an exact measurement of this building).

- 8.5.12 Policy HO1.5 of the Newick Neighbourhood Plan states a preference for parking spaces to be located inconspicuously towards the rear of homes. Whilst it is acknowledged that parking for the proposed dwellings is positioned to the front of dwellings it is considered that landscaping would soften its appearance and it is also important to note that secluded car parking that is not well overlooked is not supported by Sussex Police due to security concerns. The parking areas serving the flats are set back from the road, within relatively self-contained areas, and would therefore not appear visually prominent. In this instance, the car parking areas would be provided with sufficient levels of surveillance from the main living rooms of the ground floor flats.
- 8.5.13 Para. 113 of the National Model Design Code (part 2) which states that 'consistent building heights, or variation within a relatively narrow range, can help to make an area type feel coherent.' It is considered that the above observations demonstrate that this statement can be applied to the proposed scheme.
- 8.5.14 It is therefore considered that the application complies with policy CP10 of LLP1, policies DM25 and DM27 of LLP2 and paras. 127 and 170 of the NPPF and the general objectives of policies HO1 and HO3 of the Newick Neighbourhood Plan.

## **8.6 Impact upon amenities of neighbouring residents:**

- 8.6.1 The row of houses running parallel to the south-western boundary of the site (plots 11-18) back on to the rear gardens of dwellings on Bannisters Field. The side elevation of the dwelling at the southern end of this row (plot 11) would flank part of the rear garden of 33 Church Road. The row of dwellings running parallel to the eastern boundary (plots 1-10) would back onto the curtilage of Woods Fruit Farm/Oakside. As this site is allocated in the Newick Neighbourhood Plan for housing development it is likely that Oakside will be demolished and new dwellings erected on the site at some point in the future.
- 8.6.2 The gap maintained between the rear elevations of the proposed dwellings on plots 11-18 and the rear elevations of dwellings on Bannisters Field would be a minimum of approx. 21 metres. It is considered that this is consistent with gaps maintained between dwellings within nearby residential development on Oldaker Road, Leveller Road, Vernons Road and Paynters Way. The distance maintained is considered to be sufficient to prevent the proposed dwellings from appearing overbearing towards properties on Bannisters Field or from generating undue overshadowing impact. Views from first floor rear windows at plots 11-18 would encompass parts of the rear garden areas of dwellings on Bannisters Field but these views would be partially restricted by site boundary treatment and landscaping. Window to window views would be at a distance that is considered to be sufficient to prevent them from being intrusive. It is noted that the distance maintained is consistent with the suggested

privacy distance of 15-20 metres as shown on diagram 76 in the National Model Design Code Part 2.

- 8.6.3 It is considered that the separation distances allowed for in the layout of the proposed scheme also ensure that the development would not generate undue levels of overshadowing towards neighbouring properties nor would it appear overbearing or oppressive when viewed from those neighbouring properties.
- 8.6.4 The internal road would be positioned centrally within the site whilst the parking areas serving the proposed flats would not be directly adjacent to any residential properties. Due to this layout, there would be a suitable buffer provided to prevent neighbouring residents being subjected to undue disturbance as a result of noise, light or air emissions associated with vehicular movements.
- 8.6.5 Overall, the nature and intensity of the development is considered to be consistent with existing residential development within the village and, therefore, it is considered that the relationship between the proposed development and neighbouring dwellings would be similar to the interrelationship between dwellings throughout the village.

## 8.7 Living Conditions for Future Occupants

- 8.7.1 Para. 134 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.'
- 8.7.2 Para. 126 of the National Design Guide (2019) 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.'
- 8.7.3 The Technical housing standards – nationally described space standard (2015) defines minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the amount of bedrooms provided and level of occupancy. The GIA of each 1 bedroom flat would be 50 m<sup>2</sup>, which meets the minimum level, and for each 2 bedroom dwelling would be 87 m<sup>2</sup>, which exceeds the minimum level. Minimum GIA would also be exceeded within the 3 bed units.
- 8.7.4 Each dwelling and flat is considered to have a clear and easily navigable layout, with awkwardly sized rooms and overly large or long circulation areas being avoided. All primary habitable rooms would be served by clear glazed windows that would not have any immediate obstructions to outlook. These windows would allow for access to good levels of natural light as well as providing effective natural ventilation.
- 8.7.5 The occupants of each dwelling would have direct access to a suitable sized private garden area. The public spaces within the site, including the pocket park, all benefit from a high level of natural surveillance due to the layout of the development. Secluded and/or isolated areas that may create an environment for anti-social and

criminal behaviour, or foster a sense of risk of such behaviour, are avoided. All dwellings would face towards the central pocket park area and it is considered that, along with the surveillance provided, this would also encourage a sense of community and increase interactions between neighbours, creating a healthy, inclusive and stimulating environment, as supported by para. 92 of the NPPF, para. 35, 38 and 72 of the National Design Guide and P2 of the National Model Design Code Part 2 Guidance Notes.

- 8.7.6 As the development would comprise more than 20 dwellings, a play area for children would need to be provided in an area that is safe, open and welcoming and also overlooked by dwellings and well used pedestrian routes. There is capacity on site for a play space to be provided and a condition will be used to secure its delivery. Further recreational facilities would be available at the King George V Playing Field, approx. 650 metres walking distance from the site, and the Reedens Meadows SANG which is approx. 1km walking distance from the site.
- 8.7.7 It is therefore considered that the proposed development complies with policy CP2 of LLP1, policy DM15, DM16 and DM25 of LLP2 and section 8 of the NPPF.

## 8.8 Flooding and Drainage

- 8.8.1 The site is located in Flood Zone 1 and is therefore not deemed as being susceptible to fluvial flood risk. Surface water mapping shows an existing overland flow towards the centre of the site which runs from developed land on Allington Road and Church Road to the south-east towards The Ghyll which is north of the site. There is no identified risk of groundwater flooding.
- 8.8.2 The site is currently entirely permeable, and the proposed development will introduce impermeable features that would have the potential to result in increased surface water run-off which may then impact upon the occupants of the development, occupants of neighbouring properties and also be lead to discharge onto the highway.
- 8.8.3 To address this, the application is accompanied by a detailed drainage strategy which would control discharge from the developed area to existing greenfield flow rates. The strategy follows the drainage hierarchy set out in para. 080 of the Planning Practice Guidance for Flood Risk and Coastal Change. Use of infiltration is discounted due to the high clay content of the soil. The drainage strategy incorporates permeable surfacing as well as two attenuation ponds that would allow surface water to be discharged from the site into the adjacent highway drain without at an appropriate rate.
- 8.8.4 The Lead Local Flood Authority is satisfied that the drainage scheme would provide suitable control of surface water discharge, subject to confirmation from ESCC Highways that the highway drain has the capacity to accept discharge from the site.

- 8.8.5 There is no existing watercourse within the immediate vicinity so the drainage strategy adopts the next level of the hierarchy which is the use of highway
- 8.8.6 The Council has proposed a motion requiring greater scrutiny of the capacity for foul sewerage disposal to be provided when assessing all major developments. This is based on the observation that recent figures show that SW discharged sewage into local rivers & seas in Lewes District over 800 times in 2020 totalling over 11,000 hours of sewage discharge in just one year.
- 8.8.7 LLP1 policy CP10 (4) states that planning decisions will ensure that water quality is improved where necessary or maintained when appropriate (including during any construction process) and that watercourses (including groundwater flows) are protected from encroachment and adverse impacts in line with the objectives of the South East River Basin Management Plan.
- 8.8.8 Southern Water have been made aware of this motion and officers requested they provide comments in response. In their reply, dated 19<sup>th</sup> May 2022, they maintain that their assessments on this application indicate that we have capacity available in the network to serve this development without the need for reinforcement work.
- 8.8.9 They go on to make the following comments (8.10 to 8.16) regarding the content of the Council motion:-
- 8.8.10 'Storm overflows occur in older areas where the sewer system combines wastewater from customers properties, and rainwater from roofs and road drains. During times of heavy rainfall this ingress of rainwater can overwhelm the sewage system and require the need for Combined Storm Overflow (CSO) releases, which are used to prevent flooding to homes, hospitals, schools and businesses. Newer sewer systems have a separate surface water line, that discharges rainwater, which doesn't need treating, into a local waterways, and wetlands. However, the Victorian sewer system featured in urban areas across the home counties and country as a whole, takes the rainwater as well. With climate change, and further population growth, this challenge needs to be answered, and a solution developed.
- 8.8.11 Although storm overflows are legal, and part of the design of the sewage system in the UK, we accept that this is out of step with the expectation from our customers and stakeholders. We fully support the revised Environment Bill and welcome the opportunity to accelerate improvements beyond our current regulatory obligations.
- 8.8.12 Southern Water is going to reduce the use of storm overflows by 80% by 2030, and drop pollution incidents overall to 0 by 2040. In order to do this, Southern Water have set up a new team called the Storm Overflow Task Force.
- 8.8.13 The task force is central to Southern Water's drive towards reducing the use of storm overflows. The establishment of the task force indicates Southern Water's commitment to this ambitious target and is a highly important work stream within the business.

- 8.8.14 The task force is responsible for working collaboratively with local authorities, and other organisations, to deliver five ground-breaking projects over the next two years. The establishment of these partnerships will be key to ensuring the project's success. These projects are essentially pilot projects that seek to help us develop and test solutions that can be rolled out across the region to reduce the use of storm overflows. They will look at various methods, including:
- Ways to the 'slow the flow' of rainwater that runs off roofs and roads such as through the installation of SuDS (Sustainable Drainage Systems) e.g. planters, rain gardens and swales.
  - Digitising the sewer network to better monitor and control flows and help to optimise capacity of the system.
  - Assessing the structure of the network including looking at where parts of it need to be upgraded or replaced.
  - Educating the public on small-scale solutions to help reduce the pressure on the drainage system through the use of water butts to recycle rainwater or reducing the amount of pavement in gardens.
- 8.8.15 We'll be publishing the results of our initial findings this coming summer, which will provide more detail on how we plan to proceed.
- 8.8.16 We're also planning to invest in our infrastructure, including more resilient sewers, and larger storm capacity. However, we feel the best long term solution is to tackle the root cause of the problem. Increasing network capacity, and upgrading our treatment works comes with a large environmental cost, and carbon footprint, while only buying limited time as the population continues to grow, and the climate becomes more unpredictable'.
- 8.8.17 It is therefore considered that surface water run-off generated by the development can be adequately managed without unacceptable risk of flooding within the development or on neighbouring land. The development is therefore considered to comply with policy CP12 of LLP1 and paras. 163 And 165 of the NPPF.

## 8.9 Landscape, Ecology & Biodiversity

- 8.9.1 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).
- 8.9.2 Part 6 of The Conservation of Habitats and Species Regulations (2017) requires a 'competent authority', in this case the Council, to carry out an Appropriate Assessment (AA) of potential impacts upon the integrity of any 'habitats site' (as per para. 181 of the NPPF) that would result from a proposed development, including any combined impact with other developments.
- 8.9.3 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 the telephone exchange site for 30 dwellings and the neighbouring Woods Fruit Farm for site for 38 dwellings. The assessment concluded that there would be and no adverse effect on the integrity of the SAC.

- 8.9.4 The presence of the Reedens Meadows SANG is noted along with the benefit it provides in reducing recreational pressure on the Ashdown Forest by providing alternative greenspace for use by occupants of Newick. If approved, the applicant would be required to provide contributions towards the creation, maintenance and enhancement of SANGs as well as the monitoring and management of activity within the Ashdown Forest itself.
- 8.9.5 It is noted that the proposed development provides an additional 6 dwellings above the figure of 30 set out in the Neighbourhood Plan. However, it is not considered that these additional 6 dwellings would materially alter the impact of the development upon the Ashdown Forest and it is important to note that an AA for an increase of dwellings from the neighbourhood plan allocation of 38 to 69 was accepted by the Council.
- 8.9.6 The site is currently largely overgrown by brambles and scrub. The Preliminary Ecological Appraisal (PEA) accompanying the application identifies the mature trees around site boundaries as well as flora growing below their canopies and boundary hedgerow (particularly on the eastern boundary) as possessing the highest habitat value within the site. In the main, the site was identified as having habitat value at an immediate and local level, with the habitats provided being widespread and common in the wider area.
- 8.9.7 Initial ecological assessments identified potential roosting sites for bats but subsequent emergence surveys did not record any bat emergences or re-entrances around these features.
- 8.9.8 The PEA makes a number of recommendations on how ecological impact can be minimised and mitigated during and after construction works. This includes supervision of any clearance of vegetation and log piles, covering up of trenches overnight (or inclusion of ramps to allow any animals that fall in to escape), retention and enhancement of boundary trees and hedgerow to form wildlife corridors, removal of invasive plant species and provision of bird and bat boxes/bricks in suitable locations.
- 8.9.9 It is not possible for biodiversity net gain to be fully provided on site and, as a result, the applicant has committed to creating a 0.5 hectare area of native tree planting on an area of improved grassland at Newhouse Farm on Station Road to the north of Isfield, approx. 3.5km to the south-east of the site.
- 8.9.10 The County Ecologist has accepted this approach, subject to the maximum amount of feasible biodiversity enhancements being

provided on-site, in accordance with the hierarchy set out in para. 180 of the NPPF. This would be achieved through the use of planning conditions to secure a Biodiversity Method Statement and Ecological Design Strategy. The off-site compensatory planting would be secured as part of the section 106 legal agreement.

- 8.9.11 It is therefore considered that the development complies with policy CP10 of LLP1, policies DM24 and DM27 of LLP2 and paras. 170 and 175 of the NPPF.

#### 8.10 Sustainability

- 8.10.1 The development would utilise sustainable drainage systems that include the formation of attenuation ponds that would also provide an amenity and habitat asset. This, as well as other open green space within the overall site area is considered to support the delivery of multi-functional green infrastructure as required by LLP2 policy DM14.
- 8.10.2 It is noted that all properties would be well served by clear glazed windows and that all dwellings and flats would be dual aspect, ensuring a good level of access to natural light throughout the course of the day as well as allowing for effective natural ventilation. The applicant has stated that electric vehicle charging points would be provided. A condition will be used to ensure that each dwelling has a minimum of 1 x operational charging point provided on site and a minimum of 1 x operational charging point is provided within the communal car park serving each block of flats, as per the requirements of the Electric Vehicle Charging Points Technical Guidance Note.
- 8.10.3 However, there is minimal detail provided as to how the development will meet the requirements of the Sustainability in Development Technical Advice Note (TAN) and, whilst the planning statement mentions that air source heat pumps could be utilised, there is no commitment provided. As such, a condition will be used to secure a sustainability statement that confirms compliance with the aims and objectives of the TAN's for Circular Economy, Sustainability in Development and Biodiversity Net Gain. This would include, but not be limited to, details on how water consumption would be kept to 100-110 litres per person per day and all renewable energy and carbon reduction measures.
- 8.10.4 A condition will be used to require that any boilers installed have restricted nitrogen oxide emissions.
- 8.10.5 A condition will also be used to secure a Site Waste Management Plan that will detail how any waste material produced during construction can be reused or recycled either on site or, if that is not possible, then on other areas.

#### 8.11 Archaeology

- 8.11.1 The southern end of the proposed development site lies within an Archaeological Notification Area which indicates the northerly extent of the medieval core of historic Newick.

- 8.11.2 A comprehensive desk based archaeological assessment of the site has been submitted with the application. The limited number of archaeological discoveries in the surrounding area are noted, However, the County Archaeologist has stated that the limited number and range of discoveries in the immediate vicinity could be attributed to the limited amount of archaeological work that has been carried out in Newick rather than evidence of absence of the presence of objects of interest. As such, a programme of fieldwork has been requested.
- 8.11.3 The fieldwork can be secured by planning condition. It is therefore considered that the proposed development could be carried out without causing unacceptable harm or damage to archaeology.
- 8.11.4 It is therefore considered the proposed development complies with policy CP11 of LLP1, DM33 of LLP2 and section 16 of the NPPF.

## 9. **Human Rights Implications**

- 9.1 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.

## 10. **Recommendation**

- 10.1 It is recommended that permission is granted subject to the conditions listed below and a Section 106 Agreement securing a policy compliant affordable housing contribution, highway works, ecological mitigation planting and SANGs and SAMMs contributions.
- 10.2 It is recommended that, if members are minded to approve, the scheme is delegatred back to officers to secure a conection agreement to allow surface water from the site to be discharged into the highway drain.
- 10.3 Conditions
1. The completed access shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter  
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with para. 110 and 112 of the NPPF.
  2. The development shall not be occupied until parking and turning 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 and turning of motor vehicles.  
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with para. 110 and 112 of the NPPF.
  3. The proposed parking spaces shall measure at least 2.5m by 5m with an extra 0.5m to either or both dimensions where spaces abut a wall, fence or hedge.

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with para. 110 and 112 of the NPPF.

4. 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: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding in accordance with LLP1 policy CP12 and para. 167 of the NPPF.

5. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, 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 in accordance with para. 110 and 112 of the NPPF.

6. 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 in accordance with LLP2 policies DM20, DM22 and DM23 and para. 110 and 112 of the NPPF.

7. No part of the development shall be first occupied until visibility splays of 2.4 metres by 116 metres to the west and 112 metres to the east have been provided/maintained at the junction of the access with Goldbridge Road in accordance with the approved plans. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm.

Reason: To ensure the safety of persons and vehicles entering and leaving Goldbridge Road and proceeding along the highway in accordance with LLP2 policy DM20 and para. 110, 112 and para. 174 of the NPPF.

8. Development shall not commence until such time as temporary arrangements for access and turning for construction traffic has been provided in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction in accordance with para. 110 and 112 of the NPPF.

9. Prior to completion any residential unit forming part 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 enhancements and Biodiversity Net Gain;

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 LLP1 policy CP10, LLP2 policies DM24 and DM27, para. 174 of the NPPF and policy EN1 of the Newick Neighbourhood Plan.

10. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the protection of trees and hedgerows and reasonable avoidance measures for reptiles has been

submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from the works.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended.

11.No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity, to include the provision of bat and bird boxes and wildlife friendly planting, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs

170 and 175 of the National Planning Policy Framework, and Core Policy CP10 of the Lewes District Local Plan 2016.

12. Prior to the first occupation of any part of the development hereby permitted, a minimum of 1 x electric vehicle charging point shall be provided for each dwelling and a minimum of 1 x electric vehicle charging point shall be provided within each car park serving the flats in accordance with details to be submitted to and approved by the Local Planning Authority. The charging points shall thereafter be maintained in an operable condition throughout 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 LLP policy CP13, para. 112 of the NPPF and policy TC1 of the Newick Neighbourhood Plan.

13. The proposed development shall not be occupied until full details of all renewable/carbon saving/energy and water efficiency measures to be incorporated into the scheme have been submitted to and approved by the Local Planning Authority. All measures approved shall thereafter be provided prior to the occupation of any dwelling and maintained in place thereafter throughout the lifetime of the development.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with LLP1 policy CP14, LLP2 policy DM20 and para. 152 of the NPPF.

14. Details shall be submitted to and approved by the local planning authority prior to the first occupation of the development for the installation of Ultra-Low NOx boilers with maximum NOX emissions less than 40 mg/kWh (or a zero emission energy source). The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site and to manage air quality in accordance with LLP2 policy DM20 and para. 181 of the NPPF.

15. Prior to the first occupation of any part of the development hereby approved, secure bin and cycle storage facilities shall be installed in accordance with details to be submitted to and approved by the Local Planning Authority and shall be maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with LLP1 policy CP13, LLP2 policies DM20 and DM26, para. 112 of the NPPF and policy TC1 of the Newick Neighbourhood Plan.

16. No external materials or finishes shall be applied until a schedule of materials has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with those details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and sustainability in accordance with LLP1 policy CP11, LLP2 policy DM25, para. 130 of the NPPF and policies HO1, HO3 and EN1 of the Newick Neighbourhood Plan.

17. 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) A preliminary risk assessment which has identified:
  - (i) all previous uses
  - (ii) potential contaminants associated with those uses
  - (iii) a conceptual model of the site indicating contaminants, pathways and receptors
  - (iv) potentially unacceptable risks arising from contamination at the site.
- (b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (c) The site investigation results and the detailed risk assessment (b) 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
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) 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, para 170, 178 and 179.

18. 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, para 170, 178 and 179.

19. 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, para 170, 178 and 179.

20. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 – 2030; coupled with the requirements of section 16 of the National Planning Policy Framework 2021.

21. Before any works hereby permitted are begun, details of the foundations, piling configurations, drainage and services, to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show, where necessary, the preservation of surviving archaeological remains which are to remain in situ.

Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 – 2030; coupled with the requirements of section 16 of the National Planning Policy Framework 2021.

22. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the approved written scheme of investigation.

Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 – 2030; coupled with

the requirements of section 16 of the National Planning Policy Framework 2021.

23. No external lighting or floodlighting shall be installed on the buildings or the road and parking areas hereby permitted without the prior written approval of the local planning authority.

Reason: To protect the amenity and character of the surrounding countryside and to prevent disturbance of nocturnal species having regard to Policy CP10 of the Lewes District Local Plan part one, policies DM20 and DM24 of the Lewes District Local Plan part two, paras. 170, 175 and 180 of the NPPF and policy HO1 of the Newick Neighbourhood Plan.

24. Prior to the commencement of the development hereby permitted details of earthworks shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading of land area including the levels and contours to be formed and showing the relationship to existing vegetation and neighbouring development. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character in accordance with LLP1 policies CP10 and CP11, LLP2 policies DM25 and DM27 and section 15 of the NPPF.

25. 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: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.

26. 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: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.

27. Prior to the first occupation of the development hereby approved, an appropriately sized children's play area shall be provided along with seating for adults in accordance with details to be submitted to and approved by the Local Planning Authority. These details shall include, but not be limited to, surfacing, drainage, landscaping and maintenance arrangements for the play equipment provided.

Reason: To provide a healthy living environment in accordance with policies DM15 and DM16 of LLP2 and section 8 of the NPPF.

28. 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.

29. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-E inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual and residential amenity in accordance with LLP1 policy CP11, LLP2 policy DM25, para. 130 of the NPPF and policy HO1 of the Newick Neighbourhood Plan

## 11. **Background Papers**

11.1 None.