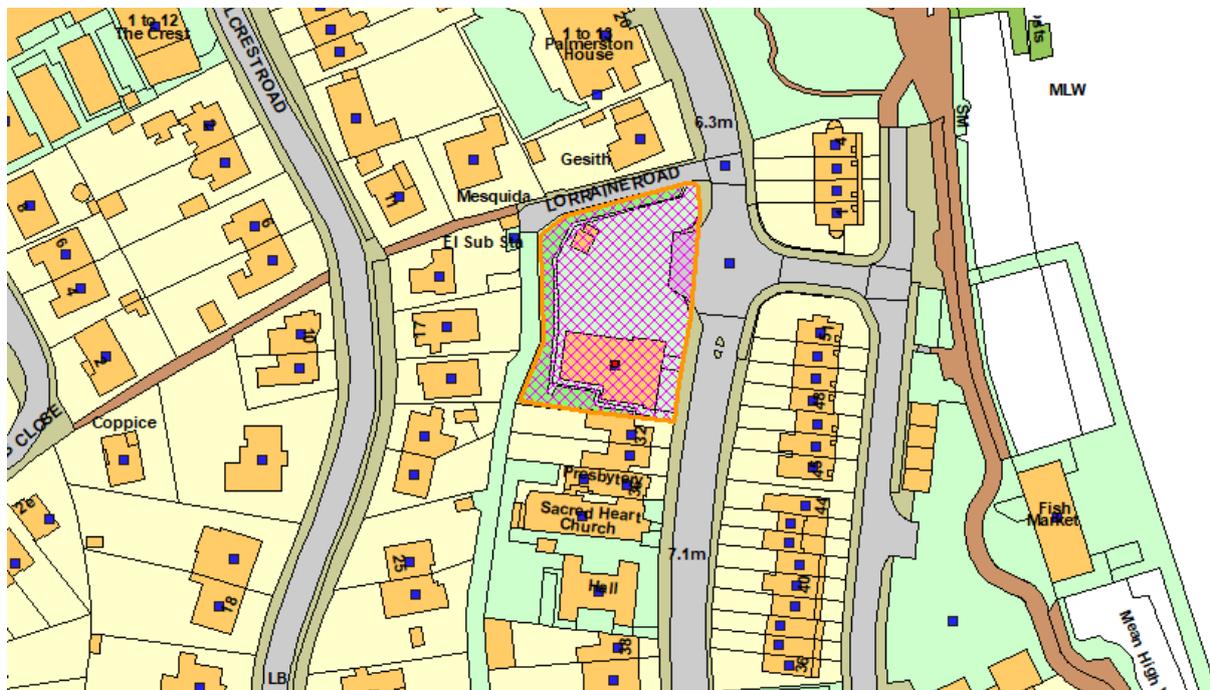


**Report to:** Planning Applications Committee  
**Date:** 3 August 2022  
**Application No:** LW/21/0224  
**Location:** Newhaven Fire Station, Fort Road, Newhaven, BN9 9EJ  
**Proposal:** Demolition of existing buildings and erection of 6 no. three bedroom dwellings.  
**Ward:** Newhaven South  
**Applicant:** Lewes District Council  
**Recommendation:** Approve subject to conditions.  
**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 application has been brought to committee due to the applicant being Lewes District Council.
- 1.2 The proposal involves the redevelopment of a brownfield site to provide affordable housing that would help meet demand on the Council's affordable housing waiting list as well as the District's overall housing need.
- 1.3 The proposed development utilises sustainable construction methods and incorporates carbon reduction measures. It is considered that the development would integrate well with the existing street scene and would not have an adverse impact upon environmental or residential amenity.

1.4 It is therefore recommended that the application is approved subject to the conditions listed in section 10 of this report.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework 2021

2. Achieving sustainable development

4. Decision making

5. Delivering a sufficient supply of homes

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)

LLP1: – CP2 – Housing Type, Mix and Density;

LLP1: – CP10 – Natural Environment and Landscape;

LLP1: – CP11 – Built and Historic Environment & Design

LLP1: – CP12 – Flood Risk, Coastal Erosion and Drainage

LLP1: – CP13 – Sustainable Travel

LLP1: – CP14 – Renewable and Low Carbon Energy

LLP2: – DM1 – Planning Boundary

LLP2: – DM20 – Pollution Management

LLP2: – DM22 – Water Resources and Water Quality

LLP2: – DM23 – Noise

LLP2: – DM25 – Design

LLP2: – DM27 – Landscape Design

### 2.3 Newhaven Neighbourhood Plan

NNP: – T1 – Congestion mitigation and sustainable movement

NNP: – D1 – Promoting Good Design

NNP: – D2 – Design and Climate Change

NNP: – H1 – A Spatial Strategy for Newhaven

## 3. **Site Description**

3.1 The site is occupied by an assortment of buildings that formerly accommodated Newhaven Community Fire Station comprising a detached two-storey building facing onto Fort Road, a flat roof triple garage building attached to the rear of the main building and a 5-storey fire training tower which is positioned towards the north-western corner

of the site. A part single, part two-storey flat roof extension has also been made to the southern side of the main building.

- 3.2 The site has been cut into the side of a hill with properties on Hill Crest Road, which are to rear, being on land approx. 5 metres higher than the main site level. A retaining wall has been constructed at the bottom of the steep grass banks that flank the northern, southern and western site boundaries. The rest of the site is flat and, where not built upon, is hard surfaced, having previously been used as a car parking area. There is existing vehicular access to the site from Fort Road.
- 3.3 The site is on the western site of Fort Road where development is predominantly in the form of two-storey terraced dwellings, which are set back from the road with a fairly uniform building line maintained. These dwellings include a distinctive terrace of substantially sized late 19<sup>th</sup>/early 20<sup>th</sup> century terraced dwellings with bay windows which collectively form an Area of Special Character. There are occasional low-rise blocks of flats, including the recently completed Palmerston House development to the north of the site and some buildings have been converted to flats. The opposite side of the road is flanked by the rear boundaries of more modern terraced dwellings situated West Quay. Whilst the immediate surrounding area is predominantly residential Newhaven Town Centre is within approx. 350 metres walking distance to the north of the site.
- 3.4 The site is within Flood Zone 1. The edge of the Newhaven Air Quality Management Area is approx. 320 metres to the north of the site. The site had been in the 2018 SHELAA and is included as site reference 52NH in the 2022 Interim Land Availability Assessment (LAA) where it is identified as being available and that redevelopment to provide up to 7 new dwellings is regarded as suitable and achievable.

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

- 4.1 The proposed development involves the demolition of all existing buildings and structures and replacement with two terraces of 3 x two-storey three bedroom dwellings which would be set back from Fort Road, with a parking and turning area provided to the front. The grass bank and associated retaining wall around the edge of the site would be retained.
- 4.2 The dwellings would be of uniform design, each measuring approx. 6 metres in width by 10.45 metres in depth. Each dwelling would have a gable ended roof formed over it, creating a 'sawtooth' appearance to the roofscape. The eaves height of each roof would be at approx. 5.8 metres with the ridge line at approx. 8.95 metres.
- 4.3 The existing vehicular access from Fort Road would be utilised. Each dwelling would be provided with an allocated parking bay and four unallocated/visitor parking bays would also be provided.
- 4.4 The development is being carried out on behalf of Lewes District Council and all dwellings will be affordable units, to be occupied by those currently on the waiting list for housing.

## 5. Relevant Planning History

- 5.1 **LW/06/0707** - Two storey extension to existing building & extension to existing appliance bays – Approved Conditionally 20<sup>th</sup> July 2006
- 5.2 **LW/14/0899** - Construction of seven x three storey houses with associated garden and parking (outline application) – Approved Conditionally 5<sup>th</sup> June 2015

## 6. Consultations

### 6.1 External Consultations:

#### **ESCC Highways**

No objection subject to conditions.

OFFICER COMMENT: It is noted that parking provision for the original 7 dwelling scheme was below ESCC standards and that the highway authority had requested 2 years car club membership to be provided for future occupants as a result of this. However, the development has since had one dwelling removed and an additional parking bay provided. The on-site parking provision is therefore now fully compliant with the ESCC car parking demand tool estimate and, therefore, the use of a planning obligation to secure car club membership can no longer be justified.

#### **Lead Local Flood Authority**

The application proposes discharge into the public sewer network and permission has been given by Southern Water for this. Additionally, detailed hydraulic calculations have been submitted which support the application.

#### **LDC Contaminated Land Officer**

The applicant has submitted a Phase 1 and Phase 11 Site investigation report prepared by Leap Environmental Ltd (dated March 2021).

The report para 31 and 32 suggests that further investigation and remediation will be required and a remediation method statement will be prepared for the site. I am also aware that the site is lying on a radon affected area. So, a basic radon protective measure is required on the site unless the monitoring suggests otherwise.

If LPA is minded to grant a Planning permission, then considering the sensitive use of the site, use of conditions are pertinent:

#### **LDC Waste and Refuse:**

Residents will need to bring their bins out of the bin stores on collection day and place them at the entrance to the development. There therefore needs to be sufficient room either side of the entrance for the bins to be presented on collection day. The vehicle will park on Fort Road.

#### **Newhaven Town Council**

The committee supported and welcomed this application and requested that;

- i. A reduction in the roof ridge line be achieved where possible,
- ii. LDC Officers ascertain the ownership and responsibility for the large (existing) retaining wall going forward, and

- iii. Newhaven residents be given preference of allocation

OFFICER COMMENT: The roof ridge line is considered to be at an appropriate height, allowing for roof forms that are consistent with the roofscape of Fort Road. The development is a Council scheme and will be used to house those on the Council's register.

## 7. Neighbour Representations

7.1 1 letter of support has been received.

7.2 2 letters of objection have been received, a summary of their content is provided below:-

- Overdevelopment;
- Would result in parking pressure on Fort Road;
- House on corner of Lorrain Road would reduce visibility at junction and result in highway hazard;

OFFICER RESPONSE: The house adjacent to the junction with Lorraine Road has now been omitted from the scheme.

## 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 as well as residential and environmental amenities and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.

8.2 Principle

8.2.1 The site falls within the settlement boundary where the general principle of residential development is acceptable. 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.

8.2.2 Lewes District Council is currently unable to demonstrate a 5 year supply of land to meet the calculated housing need of the District. As such, a 'tilted balance' is applied in decision making with applications only being refused where a protected area is harmed or where any adverse impacts of the development would significantly and demonstrably outweigh its benefits, when assessed against the policies in the NPPF taken as a whole. This approach is commonly referred to as a 'tilted balance'.

8.2.3 The site is close to Newhaven Town Centre and has previously been developed, having accommodated Newhaven Community Fire Station for a number of years and may also be subject to a degree of contamination from fuel and chemicals previously used on site. Para. 120 c) of the NPPF directly supports redevelopment of such land,

stating that planning decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'.

8.2.4 The proposed development is therefore considered to be acceptable in principle and will be assessed in accordance with the methodology provided in para. 8.2.2.

### 8.3 Design and Impact upon Character of Surrounding Area

8.3.1 The site is located in a predominantly residential area which is characterised by terraces of dwellings that face out towards Fort Road. The site, in its current arrangement, is not considered to contribute positively towards the overriding character of the surrounding area given the somewhat functional appearance of the buildings that occupy it and the large, open expanse of hard surfacing that forms the car parking area.

8.3.2 The proposed scheme would introduce two rows of terraced dwellings that align with each other, with relatively small gaps maintained between each terrace and neighbouring properties. This is considered to be consistent with the general visual and spatial characteristics of this part of Fort Road, where development is very linear in its arrangement and building frontages are largely uninterrupted by gaps. The proposed dwellings would be set back further from the road than neighbouring dwellings but would maintain a strong visual presence within the street due to their strongly defined front elevations. The additional set back also allows for an appreciable distinction to be maintained between the proposed dwellings and the terrace of dwellings forming an area of special character to the south, thereby preserving their setting.

8.3.3 The design of the dwellings would be similar to that of the dwellings on West Quay, which back on to the opposite side of the road. The strong gable frontages are also consistent with the design of the adjacent dwellings at 32 and 34 Fort Road. Whilst respecting the general character and appearance of neighbouring development the design also incorporates contemporary elements that will help provide the development with a stronger identity.

8.3.4 The visual impact of the proposed parking area would be softened by landscaping that would relate well to existing street landscaping on Fort Road. The existing grass banks to the fringes of the site would be retained and provide the opportunity for further landscape enhancements. There would be sufficient space on level ground to the rear of each dwelling to allow for an appropriately sized private garden to be provided.

8.3.5 There would be minimal visual impact within the street scene on Hill Crest Road due to the proposed development being carried out on significantly lower lying land. It was noted on the site visit that only the very top of the 5-storey training tower is visible within the street

scene and that this is in the form of glimpses in gaps between roof slope.

- 8.3.6 It is therefore considered that the proposed development would be visually consistent with the surrounding built environment and would have no unacceptable impact upon visual amenity.

#### 8.4 Impact upon Amenities of Neighbouring Residents:

- 8.4.1 The frontage of the proposed development would face towards the rear elevations of dwellings on West Quay, which back on to the opposite side of Fort Road. The relationship between the two sets of dwellings would be consistent with the common relationship between existing dwellings on Fort Road and West Quay, with a good degree of separation maintained and, therefore, would not give rise to concerns relating to unacceptable overlooking, overshadowing or overbearing impact towards those properties.

- 8.4.2 The rear elevations of properties on Hill Crest Road overlook the site. Some of those properties have parking areas and access from the rear, utilising a service road that flanks the rear of the site. A separation of between approx. 21 and 25 metres would be retained between these properties and the proposed development. The dwellings on Hill Crest Road are also on raised ground, approx. 5 metres above the level of the developable area of the application site, meaning that the visually impact of the proposed development would be substantially reduced. It is therefore considered that the proposed development would not introduce any unacceptable overbearing, overlooking or overshadowing impact towards residents of properties on Hill Crest Road.

- 8.4.3 The site is only directly adjoined by one residential plot, this being 32 Fort Road which is to the south. The southernmost dwelling within the proposed development would flank the side elevation of 32 Fort Road which is on ground approx. 2 metres higher than the developable part of the site and does not contain any windows. The grass bank and Lorraine Road provide a buffer between the site and the neighbouring residential dwelling to the north, 22 Fort Road. No side facing windows would be provided within the proposed dwellings. It is therefore considered that the proposed development would not result in any unacceptable overbearing, overlooking or overshadowing impact towards neighbouring properties on Fort Road.

- 8.4.4 The proposed garden areas would be well screened and the level of activity taking place within them would be comparable with existing gardens in the surrounding area. Suitable buffers would be maintained between the parking area and neighbouring properties. It is therefore considered that there would be no unacceptable impact as a result of noise, light or air emissions.

#### 8.5 Living Conditions for Future Occupants

- 8.5.1 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.

- 8.5.2 All habitable rooms are served by unobstructed clear glazed openings allowing for a good level of natural sunlight permeation. Windows are provided on three aspects of each dwelling and it is considered that this would help enhance access to natural light and would also provide effective natural ventilation to each building. The layout of each dwelling is considered to be clear, with hallway lengths kept to a minimum and awkwardly sized and shaped rooms being avoided, thereby enhancing functionality, accessibility and adaptability.
- 8.5.3 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 would have a GIA of 94.52 m<sup>2</sup>, exceeding the minimum 93 m<sup>2</sup> specified for a 3 bedroom, 5 person two-storey dwelling.
- 8.5.4 Para. 10 (b) of the space standards instructs that a dwelling with two or more bedspaces has at least one double (or twin) bedroom whilst para. 10 (d) stipulates that a double room must have a minimum floor area of 11.5 m<sup>2</sup>. All bedrooms within the proposed dwellings fulfil these criteria.
- 8.5.5 Each dwelling would have access to a private outdoor amenity area. The smallest of the gardens has an area of approx. 32 m<sup>2</sup>. It is considered that the amount of space provided is suitable to serve the private outdoor amenity needs of future occupants. Although compact in size, the shape of the gardens would allow for a good level of functionality and it is noted that their overall size is comparable with nearby gardens on West Quay.

## 8.6 Parking Demand and Highway Impact

- 8.6.1 The development would be utilise the existing crossover access onto Fort Road. The width of the access would be reduced to allow for easier and safer crossing by pedestrians whilst retaining suitable width to support two way vehicular movements.
- 8.6.2 Car parking bays would be provided to the front of each dwelling with an additional 4 x visitor bays also incorporated. This quantum meets the anticipated parking demand of 10.2 spaces based on interrogation of the ESCC parking demand tool. The bays would open out onto an internal circulating area that would allow vehicles to turn within the site, ensuring they enter and leave Fort Road in forward gear.
- 8.6.3 Each allocated car parking bay would be provided with an electric vehicle charging point and each property would be provided with a secure and covered cycle store. Both of these measures would help support the uptake in use of more sustainable modes of transport.

8.6.4 The site is considered to be in a sustainable location, with access to shops and services in Newhaven Town Centre approx. 350 metres walking distance from the site. There are bus stops served by local services close by on Fort Road and bus stops served frequently by local and regional services within approx. 350 metres walking distance on South Way. The main line train station is approx. 775 metres walking distance from the site. It is therefore considered that the occupants of the development would not be overly reliant upon private motor vehicle ownership.

8.6.5 The footway to the front of the site would be unaffected by the proposal and would be used by pedestrians to access the site. A condition will be used to secure details of site boundary treatment as some form of physical barrier would need to be in place adjacent to the footway to prevent vehicles moving within the site from encroaching onto it.

## 8.7 Flooding and Drainage

8.7.1 The site is located in Flood Zone 1 and, as such, is not considered to be susceptible to tidal or fluvial flooding. Flood mapping also shows that the risk of surface water flooding is very low.

8.7.2 The developable area of the site is currently entirely built upon or hard surfaced and the proposed development would introduce additional soft landscaping that would assist with surface water drainage. It is noted that all hard surfacing would be permeable where practicable. The proposed drainage system would connect with the public sewer and underground attenuation infrastructure would be provided on site to allow for discharge rate to be controlled so as not to put undue pressure on the wider network.

8.7.3 It is therefore considered that suitable drainage arrangements can be provided for the development and that appropriate testing and checking would be carried out at the building regulations stage. Building regulations would also ensure appropriate foul disposal is also provided.

## 8.8 Landscape, Ecology & Sustainability

8.8.1 The site is currently predominantly covered by buildings or hard surfacing. The soft landscaped areas are restricted to grass banks behind the retaining wall. These banks would remain in place following the redevelopment of the site and provide space for additional planting that would enhance the biodiversity value of the site. The rear gardens would also include soft landscaping as would the parking and access area to the front of the site and, therefore, the proposed development is considered to offer the potential for significant ecological enhancements above that provided by the existing site.

8.8.2 The Council's Sustainability in Development TAN, as well as the NPPF, encourage the re-use of existing buildings that have fallen out of use. However, given the present layout of the site, the type of buildings that occupy it and the potential presence of hazardous materials within the buildings, it is considered that they would not be

suitable for conversion to residential use. As such, the most efficient development of the site would involve their removal and replacement with purpose built dwellings. A site waste management plan will be required to provide details of how materials arising from demolition can be reused and recycled where practicable.

- 8.8.3 The proposed dwellings would be modular structures, constructed off-site at a factory in Newhaven and then transported the short distance to the site. Modular construction reduces environmental and amenity impact around the development site and also reduces wastage of materials.
- 8.8.4 The 'sawtooth' design of the roofing over the proposed terraces results in each dwelling having a south facing roof slope on which an efficient solar pv array would be installed. Air source heat pumps would be utilised to heat each dwelling. The energy statement accompanying the application confirms that these measures, as well as the use of energy efficient materials and construction methods, would ensure that the development achieves an approx. 71% reduction in CO<sup>2</sup> emissions compared to the baseline estimates for the development.
- 8.8.5 As stated earlier in this report, the development would incorporate electric vehicle charging points and each dwelling would be provided with a secure and covered cycle store. It is considered that these measures will encourage the use of more sustainable modes of transport.

## 8.9 Contamination

- 8.9.1 A Phase I Desk Study and Phase II Site Investigation Report have been provided as part of the application.
- 8.9.2 The previous use of the site as a fire station has resulted in the potential presence of contaminants on the site. The development provides an opportunity for remediation works to be carried out, to the benefit of the wider environment and also necessary not provide suitable healthy living conditions for future residents. Potential sources of contaminants include fuel spills, remnants of firefighting foam training and asbestos within the existing buildings and structures.
- 8.9.3 Remediation and removal works would need to be carried out in accordance with an approved methodology informed by the site investigation and agreed with the Council's contaminated land officer. A verification report would be required prior to any occupation of the development in order to provide evidence that required remediation works have been undertaken correctly.

## 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.

### 10.2 Conditions

1. This decision relates solely to the following plans:

This decision relates solely to the following plans:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
General	25 March 2021	21009-DGE-XX-XX-RP-MEP-2901 Rev P02 - Energy Report Statement
General	25 March 2021	9415 Issue B - SUDS Report
General	25 March 2021	LP2447 - Phase 1 Desk Study and Phase 2 Site Investigation Report
Other Plans	12 July 2022	P104 - 0002 Rev P6 - Proposed Location Plan
Proposed Roof Plan	12 July 2022	P104 - 0371 Rev P4 - Proposed Roof Plan
Proposed Elevations	12 July 2022	P104 - 0372 Rev P4 - Proposed Elevations
Proposed Sections	12 July 2022	P104 - 0373 Rev P4 - Proposed Sections
Other Plans	12 July 2022	P94 – 0370 Rev P2 – Terrace Floor Plans and Elevations
Other Plans	12 July 2022	P104 – 0375 Rev P1 – Proposed Street Elevation

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

2. Prior to the application of any external materials or finishes, full details and specifications shall be submitted to and approved by the Local Planning Authority and the development thereafter carried out in accordance with those details unless otherwise allowed 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.

3. 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 measures to control surface water runoff.
- 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

4. 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.

5. The development shall not be occupied until the existing redundant sections of the access are stopped up and the kerb and footway reinstated in accordance with details submitted to and approved in writing by the Planning Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to LLP1 policy CP13, LLP2 policies DM25 and DM30 and para. 112 of the NPPF

6. The access shall not be used until visibility splays of 2.4m by 43m are provided to the south and maintained thereafter. The height of the boundary wall and all vegetation shall be retained at 1 metre in height towards the north in order to optimise the driver sightline.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to LLP1 policy CP13, LLP2 policies DM25 and DM30 and para. 112 of the NPPF

7. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans and the turning space shall thereafter be retained for that use and shall not be used for any other purpose;

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to LLP1 policy CP13, LLP2 policies DM25 and DM30 and para. 112 of the NPPF.

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. Parking bays must be a minimum of 5 metres in length by 2.5 metres in width, with an extra 0.5 metres added where any point of the parking bay abuts a wall or fence.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to LLP1 policy CP13, LLP2 policies DM25 and DM30 and para. 112 of the NPPF

9. Prior to the first occupation of any part of the development hereby approved, the cycle storage facilities shown on the approved plans shall be installed in accordance with those details and 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 policies CP11 and CP13 of the Lewes District Local Plan Part 1, policies DM25 and DM30 of the Lewes District Local Plan Part 2 and para. 106 of the Revised National Planning Policy Framework

10. No development approved by this planning permission shall take place until a remediation strategy that includes the following components 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. Additional site investigation scheme, based on phase 1 and Phase 2 investigations already undertaken to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- b. The results of the site investigation and the detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written 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. 183 of the NPPF.

11. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of 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 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. The long term monitoring and maintenance plan 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. 183 of the NPPF.

12. Prior to demolition, a full asbestos survey must be carried out on the building to be demolished. Any asbestos containing materials (ACMs) must be removed by a suitable qualified contractor and disposed off-site to a licenced facility. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos.

Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with para. 183 of the NPPF.

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy 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. 183 of the NPPF.

14. No above ground works shall commence until a detailed surface water drainage scheme and maintenance and management plan, together with a timetable for implementation, have been submitted to and agreed in writing by the local planning authority. The surface water drainage shall include the following:-

- Hydraulic calculations showing surface water discharge rates not exceeding 2.4 litres per second for all rainfall events including 1 in 100 year (+ 40% climate change)
- Details of the outfall from the proposed attenuation tank and how it connects with the public sewer;
- Details of the condition of the existing sewer which will take the surface water runoff from the development and details of any improvements required;
- Details of how flows exceeding the capacity of the surface water drainage feature will be managed;
- Detailed design of the attenuation tank informed by groundwater monitoring;
- Management and maintenance plan for the drainage system;

The development shall thereafter be carried out and maintained in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve existing habitats in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 167 of the NPPF.

15. Following completion of the drainage scheme a photographic record of the works, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding, both on and off site and to improve and protect the water quality in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 167 of the NPPF.

16. Prior to the first occupation of any part of the development hereby permitted a minimum of one operable electric vehicle charging point shall be provided in a suitable position at each property, in accordance with details to be submitted to and approved by the local planning authority. The charging point shall thereafter remain 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 Policies CP13 and CP14 of Lewes District Local Plan, para. 112 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.

17. 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;
- Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees;

- Ecological enhancements;

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 and para. 174 of the NPPF.

18. Prior to the first occupation of any part of the development hereby approved, the bin storage facilities shown on the approved plans shall be installed in accordance with those details and maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of visual and environmental amenity in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part 1, and policies DM25 and DM30 of the Lewes District Local Plan Part 2.

19. 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 and para. 130 of the NPPF.

20. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

21. The dwellings hereby approved shall not be occupied at any time other than as affordable housing units.

Reason: To enable the Local Planning Authority to regulate and control the proposed development having regard to Policy CP1 of the Lewes District Council Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework.

## 11. **Background Papers**

11.1 None.