

Report to: Planning Applications Committee

Date: 6th September 2023

Application No: LW/23/0417

Location: Land west of A275, South Common, South Chailey

Proposal: Outline application with all matters reserved except access for the erection of up to 56 dwellings (including 40% affordable housing), public open space, landscaping, sustainable drainage systems and vehicular access point.

Applicant: Gladman Developments Ltd

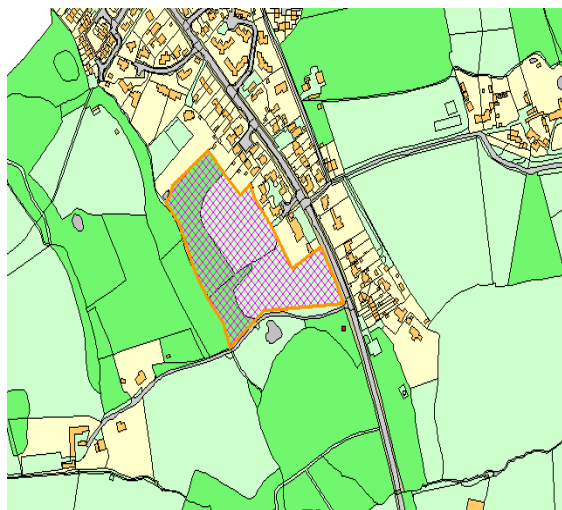
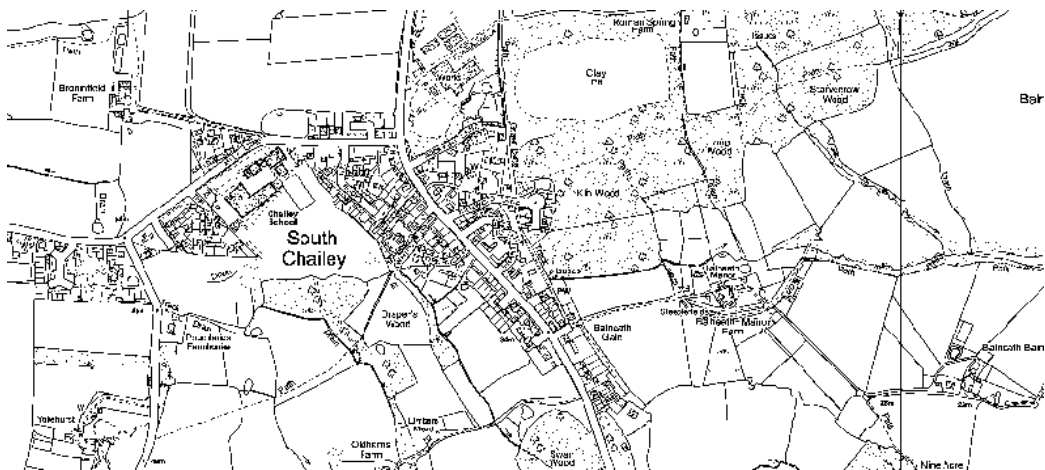
Ward: Chailey, Barcombe and Hamsey

Recommendation:

1. If the Committee resolve to grant planning permission, then the application shall be referred to Secretary of State (SoS).
2. In the circumstances that the SoS does not wish to exercise call in powers then the Head of Planning be authorised to Grant Planning Permission subject to the recommended conditions and s106 to secure 40% affordable housing, off-site biodiversity works, highway and transport works and delivery of children's' play space in the form of a Local Equipped Area for Play (LEAP).
3. If the S106 is not substantially completed within 3 months, then the application be refused on the lack of certainty on the infrastructure needed to support/mitigate the development.

Contact Officer: **Name:** Marc Dorfman
E-mail: marc.dorfman@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.
Site Location Plan: (Below)



1	Executive Summary
1.1	<p>This application was reported to planning committee in February 2023 where officers recommended for approval. This recommendation was not supported by planning committee and was refused on the casting vote of the Chair for the following reason:</p> <p><i>“The proposed scheme by reason of its location outside of the settlement boundary, would unacceptably impact on the rural character of the open countryside to the west of the A275 on the southern approach to the South Chailey settlement, which is characterised by a strong and stark break between the village and open landscape comprising traditional fields, hedgerows, tree boundaries and small woods. The proposed scheme would cause a loss these intrinsic qualities of this village and rural area, contrary to the LP Part 1 Policy 10, LP Part 2 DM 1 and NPPF Section 15”.</i></p>
1.3	<p>The applicant has submitted an appeal to the Planning Inspectorate following this refusal, This appeal has yet to conclude, with a public hearing set to be held in November of this year, with the exact date yet to be confirmed.</p>
1.4	<p>The current outline application is identical to the previously submitted scheme (LW/22/0418), which sought permission for the access arrangements to the site only as well as to establish the principle for the construction of up to 56 dwellings on site.</p> <p>The resubmission has been made in an attempt to see if a local level decision could be obtained. It is noted that the Local Planning Authority has the power to decline to determine applications which are similar to previously refused schemes but, this does not apply in this instance as these powers are only afforded when more than one similar scheme has previously been previously refused at a local level or if a similar scheme has been previously refused by the Secretary of State, as per Section 70A of the Town and Country Planning Act (1990) and para. 056 of the Planning Practice Guidance for Making an Application.</p> <p>The applicant has stated that, should permission be granted by members, the current appeal would be withdrawn, following the expiry of the 6-week judicial review period.</p>
1.5	<p>Given that the current application is identical to the former one it is considered that the consultee responses and to some part the neighbour representations are known and were submitted within the former application. These are all reproduced in the report below, with additional comments received summarised below in bold.</p>
1.6	<p>It is not envisaged that new issues will surface from the consultation regime on the current application. However, any further representations that are received prior to committee will be reported to committee via the addendum report.</p>

1.6	Despite the previous committee decision, officers are maintaining their support for the proposal and it is recommended for approval subject to a s106 agreement and conditions at the foot of this report.
1.7	The previous report is attached below.
1.8	The application seeks outline permission to develop the site. A detailed access drawing is provided. All other matters are reserved and, therefore, the planning assessment is based on the access arrangements alone as well as the overall principle of the development of the scale and nature proposed being accommodated on the site.
1.9	<p>Housing Delivery</p> <p>The provision of up to 56 residential dwellings, of which 40% (23 units) would be affordable housing which will include 25% First Homes (6 units), would contribute to the housing land supply for the District.</p> <p>This would carry <u>significant</u> weight in the planning balance.</p>
1.10	<p>Economic Benefits</p> <p>The proposal offers economic benefits in the form of job creation during construction and an increase in population that would result in additional use of local businesses and services.</p> <p>This would carry <u>moderate positive</u> weight in the planning balance.</p>
1.11	<p>Placemaking and impact upon surrounding environment</p> <p>Change in the landscape would be limited to the immediate site area due to the self-contained nature of the site, sympathetic screening, and disconnection from the wider rural/agricultural landscape. The scale of the development would be comparable with that on the northern edge of the settlement. The northern and eastern boundaries are contiguous with existing residential development whilst the western and end southern extent of the development does not project beyond the existing western and southern edges of the settlement as a whole.</p> <p>The development would also provide for a 'local equipped area for play' which would ensure that the development is locally accessible and maintains a degree of overlooking in order to mitigate and ASB and safeguarding issues.</p> <p>The ESCC Landscape Architect has raised an objection focussing on loss of trees within the site and concerns about the strength of the landscape buffer on the southern boundary. This is based on the indicative plan provided with the application and it is important to note that layout and landscaping are determined at the reserved matters stage and the objection could be addressed/mitigated, at that stage.</p> <p>Nevertheless, the layout and landscaping of the scheme would be dictated by the quantum and layout of the new dwellings provided and, as</p>

	<p>such, it is likely that any development of the site would lead to potential localised landscape impact, which is assessed as being of medium to low value/sensitivity and is not a 'valued landscape' as per the definitions of the NPPF.</p> <p>Overall, it is considered that the development would result in overall <u>moderate</u> landscape harm, and this should be attributed <u>moderate negative weight</u> in the planning balance.</p>
1.12	<p>Heritage Assets</p> <p>There is a Grade II Listed Building (Swan House) adjacent to the site. Development of the site would impact upon the rural backdrop to the building and would therefore have some impact on its setting, although this could be mitigated by use of sympathetic design and landscaping.</p> <p>Overall, it is considered that the development could be carried out with less than substantial harm being caused to the significance of the heritage asset. It is considered that this should be attributed <u>moderate negative weight</u>.</p>
1.13	<p>Biodiversity Net Gain</p> <p>The proposed development would deliver biodiversity enhancements on and off site with a cumulative net gain of 10%. The net gain would be dictated by a baseline level to be agreed with the LDC ecologist, taking into account clearance works carried out on the site prior to the application being made.</p> <p>This would carry <u>moderate positive weight</u> in the planning balance.</p>
1.14	<p>Highways</p> <p>The site access arrangements have been accepted by ESCC Highways who have also confirmed that the development would not generate an increase in traffic of a degree that would result in disruption or congestion on the surrounding highway network.</p> <p>It is considered that this should be attributed <u>neutral weight</u>.</p>
1.15	<p>Water Issues</p> <p>The principle of the drainage system was agreed by the Lead Local Flood Authority (LLFA) as part of the outline approval. Sustainable drainage methods would be used, and full details can be secured by an appropriately worded condition.</p> <p>This should be given <u>neutral weight</u> in the planning balance.</p>
1.16	<p>Loss of Agricultural Land</p> <p>The proposed development would involve the loss of approx. 2.6 hectares of agricultural land. There is no evidence that the fields are currently in agricultural use. They are small, partially shaded by woodland and surrounding development, isolated from the wider network of large</p>

	<p>agricultural fields and are adjacent to residential development. As a result, it is considered that they are of limited value to agriculture.</p> <p>It is therefore considered moderate negative weight should be given to the harm to agricultural land supply.</p>
2.	Relevant Planning Policies
2.1	<p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development</p> <p>4. Decision making</p> <p>5. Delivering a sufficient supply of homes</p> <p>8. Promoting healthy and safe communities</p> <p>11. Making effective use of land</p> <p>12. Achieving well-designed places</p> <p>14. Meeting the challenge of climate change, flooding, and coastal change</p> <p>15. Conserving and enhancing the natural environment</p> <p>16. Conserving and enhancing the historic environment</p>
2.2	<p><u>Lewes Local Plan Part 1 (LLP1)</u></p> <p>CP2 – Housing Type, Mix and Density.</p> <p>CP10 – Natural Environment and Landscape.</p> <p>CP11 – Built and Historic Environment & Design</p> <p>CP12 – Flood Risk, Coastal Erosion and Drainage</p> <p>CP13 – Sustainable Travel</p> <p>CP14 – Renewable and Low Carbon Energy</p>
2.3	<p><u>Lewes Local Plan Part 2 (LLP2)</u></p> <p>DM1 – Planning Boundary</p> <p>DM14 – Multi-functional Green Infrastructure</p> <p>DM15 – Provision for Outdoor Playing Space</p> <p>DM16 – Children’s Play Space in New Housing Development</p> <p>DM20 – Pollution Management</p> <p>DM22 – Water Resources and Water Quality</p> <p>DM23 – Noise</p> <p>DM24 – Protection of Biodiversity and Geodiversity</p> <p>DM25 – Design</p> <p>DM27 – Landscape Design</p> <p>DM33 – Heritage Assets</p>

2.4	<u>Chailey Neighbourhood Plan (CNP)</u> HO1 - Design HO2 - Housing mix HO3 - Building materials HO4 - Building height HO5 - Pedestrian connections HO7 - Historic buildings HO8 - Housing considerations ENV1 - Landscape ENV2 - Wildlife protection ENV3 - Countryside Protection and the village setting. ENV5 - Conservation of the environment, ecosystems, and biodiversity ENV6 - Protection of open views ENV7 - Dark night skies TRA1 - Road Safety TRA2 - Adequate and appropriate car parking ECO4 - Sustainability
-----	---

3.	Site Description
3.1	<p>The site, which is approx. 2.6 hectares in area, comprises an L-shaped arrangement of two grass fields which are flanked by ancient woodland to the west. The southern field shares its eastern boundary with the public highway whilst the northern field is positioned to the rear of dwellings on Swan Court and Swan Close. A portion of land that originally formed part of the northern field was incorporated into the gardens of 2-6 Swan Close under LW/98/0916. The site wraps around the side and rear boundaries with Swan House, a Grade II Listed Building which was originally used as a public house but has now been converted to use as a residential dwelling.</p>
3.2	<p>A hedgerow runs between the two fields although there is a large opening in it, to allow for farm machinery to move between each field. Boundaries shared with rear gardens are marked with timber post and rail fencing, with all other boundaries marked by a tree line and/or hedgerow, with a row of ten mature poplars on the southern boundary being of note. A farm track serving Oldbarns Farm runs along the southern boundary. A public right of way follows the course of the track. Overhead power lines cross the lower part of the southern field.</p>
3.3	<p>The site is outside of the settlement boundary, although it does directly flank the northern and eastern edges of the site. There is residential development, already referred to above, in the form of ribbon development along the A275 as well as more modern infill development directly to the</p>

	north and east of the site. There is a similar mix of residential development to the on the opposite side of the A275 to the site.
3.4	There are no specific planning designations or constraints attached to the site although it is noted that it is identified in the 2022 Interim Land Availability Assessment (LAA) as a suitable, developable, and deliverable (site 27CH). The site falls within Flood Zone 1 and is not identified as being at risk from surface water flooding. There is a ditch that runs along the western site boundary which connects with Bevern Stream to the south. There is also a ditch running along part of the eastern boundary, to the rear of Swan Court, which then crosses the site, following the hedgerow running between the northern and southern fields and then meets the ditch on the western boundary.

4.	Proposed Development
4.1	<p>The application seeks outline approval for the residential development of the site. All matters other than access arrangements are reserved.</p> <p>The development would comprise up to 56 new dwellings and would incorporate public open space. Indicative plans show the majority of the northern field being developed whilst the southern field accommodates a mix of dwellings, green space, and sustainable drainage infrastructure. The indicative plan also shows green buffers on the southern and western edges of the site being strengthened.</p> <p>The main site access would be positioned on the eastern boundary of the southern field and would take the form of a priority junction. A separate pedestrian/cycle access would be provided to the north of the vehicular access. Offsite highway works to facilitate the site access would include the extending the existing footway, which currently terminates at Swan House, to run up to the farm track to the south of the application site, the provision of a right-hand turn pocket for cyclists and the provision of dropped kerb pedestrian crossing points to the north and south of the site access.</p>

5.	Relevant Planning History:
5.1	<p>E/55/0842 – High voltage and low voltage overhead lines – Approved 10th January 1956</p> <p>LW/22/0418 - Outline application with all matters reserved except access for the erection of up to 56 dwellings (including 40% affordable housing), public open space, landscaping, and sustainable drainage systems and vehicular access point – Refused 28th April 2023</p>

6.	Consultations:
6.1	<p data-bbox="320 264 671 297">Chailey Parish Council</p> <p data-bbox="320 315 1318 349">Chailey Parish Council voted unanimously to object to this application.</p> <ul data-bbox="368 371 1385 2056" style="list-style-type: none"> <li data-bbox="368 371 1326 443">• It is outside the Planning Boundary and the number of dwellings proposed exceeds the number allocated for South Chailey. <li data-bbox="368 465 1358 573">• The Neighbourhood Development Plan (NDP) vision is to protect and retain Chailey's 'quiet, rural character.' A development of this size is likely to impact on the maintenance of this key objective. <li data-bbox="368 595 1374 992">• As all matters are reserved apart from the vehicular access point the Housing Objectives of the NDP can-not be commented upon. However; there are concerns that the mix of dwellings is unlikely to meet its Objectives 1, 3a and 3b. Objective 1 requires any 'new housing development, through location, quality, and design, to preserve and enhance the existing character of the village and its environment. Objective 3a requires that new housing development in the Parish comprises dwellings with 1, 2, or 3 bedrooms suitable for starter homes or for elderly residents downsizing from within the village. Objective 3b requires that new residential development in the Parish is sustainably constructed...' <li data-bbox="368 1014 1358 1234">• Utility Infrastructure: Residents residing near the site report that there is inconsistent electricity supply with blackouts due to insufficient supply. Residents further support that the water supply is also inconsistent. The demands of a development of this size would exacerbate this situation and it is unlikely that sustainable heating by the means of heat pumps would be achievable. <li data-bbox="368 1256 1382 1619">• Community facilities: There are limited community facilities within Chailey Parish. The Development proposal makes minimal attempts to improve this situation, just including as required a small playground within the site. The facilities available are a village shop $\frac{3}{4}$ mile or 1.21 km from the site and the one remaining pub $1\frac{1}{2}$ miles or 2.41 km from the site. Both are situated on the busy A275 with poor access via a footpath requiring the road to be crossed by pedestrians. It is therefore likely that visits to these facilities would be undertaken by car. The Education and Health facilities within the Parish already struggle to meet the needs of current residents. <li data-bbox="368 1641 1374 1816">• Transport: The vehicular access proposed is onto the busy A275 road with by the Developers own calculations this is likely to involve multiple cars entering and exiting the site multiple times each day, in addition to delivery vans etc. The proposed access is not adequate for this level of traffic. <li data-bbox="368 1839 1382 2056">• Public and sustainable transport. The rural bus service to the Parish is infrequent with no service on Sundays. Train services are only reliably accessible by car. The A275 is a 40 mph or 60 mph speed limit road and there are no cycle paths within the parish. Residents are therefore unlikely to use bicycles as regular transport. As stated above local amenities and facilities are likely to be accessed by car.

	<ul style="list-style-type: none"> Environmental Impacts: Doubts have been raised concerning the ecological survey undertaken by the applicant. The site was extensively cleared in November 2021 approximately 2 months before the survey was undertaken. It is thought that there are some ecologically sensitive areas adjacent to the site, which were not surveyed. Chailey Parish Council recommend that a full independent survey of the site and surrounding areas be undertaken before any permission is granted.
6.2	<p>ESCC Highways</p> <p>No objection.</p> <p>Vehicular access – located approximately 60m north of the lane to New Barn Farm/Footpath 2a. Access width is 5.5m with 6m radii and tactile paving at points of traverse. Driver sightlines are in accordance with actual vehicle speeds on the A275 and 130m from a setback point of 2.4m can be achieved.</p> <p>Pedestrian and cycle access provision – a point of access into the site is separately provided approximately 7m north of the vehicular access to connect the A275 and the site. A footway is indicated along the entire frontage to link from the recently installed provision to the south and continuing north it widens between the vehicular access and a dropped kerb section for cyclists to join the A275. The section of cycle and pedestrian provision is 3m wide and the remaining footway is 2m wide, apart from a short pinch point where it is 1.8m wide adjacent to the telephone box. In addition, 2 points are indicated for crossing the A275. These are south of the vehicular access and north of the telephone box position.</p> <p>Highway requirements to accommodate the cycle access is a right turn facility with a protection bollard to safeguard cyclists turning into the site. Road markings are shown on the access plan.</p> <p>The highway related provisions have been subject of a stage 1 road safety audit and the problems outlined by the auditor have received a designer response and it is agreed that the matters outstanding can be addressed through detailed design when submitted as a s278 agreement under the Highway Act.</p> <p>OFFICER COMMENT: ESCC have issued a holding response in relation to the current application, requesting additional time to view documents. However, as the proposed access arrangements are identical to those submitted under the previous scheme, it is considered appropriate to be guided by their previous response.</p>
6.3	<p>Lead Local Flood Authority</p> <p>While the principles of the surface water drainage strategy are acceptable at this stage, there are some concerns regarding the proximity of the proposed attenuation basin to the surface water flow path which runs along the western boundary (associated with the existing ordinary watercourse). Preference would be that the surface water basin is moved or reduced in size to ensure the volume of attenuation provided will not be compromised in the event of flooding. Alternatively, the risk associated</p>

	<p>with this surface flow path should be investigated further and evidence should be provided to assure us that the attenuation feature will not be affected.</p> <p>In addition, information provided in the submitted Flood Risk Assessment report suggests there is the potential for minor changes to ground levels around the ordinary watercourse as part of the detailed design. Should this be the case, any reserved matters application for the site should provide information on this aspect of the proposals together with evidence that the changes will not increase flood risk downstream. Depending on the level of modifications, we may wish to see the results of a hydraulic modelling exercise which demonstrate that the proposals will not increase flood risk on or offsite.</p> <p>Notwithstanding the above, we acknowledge this is an Outline Application and consider that the above comments can be addressed as part of the reserved matters application for the site.</p> <p>OFFICER COMMENT: The Lead Local Flood Authority have confirmed that they are confident that the uplift in the climate change allowance from 40% to 45% can be accommodated into the scheme.</p>
6.4	<p>Southern Water</p> <p>Our investigations indicate that Southern Water can facilitate foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.</p> <ul style="list-style-type: none"> • The 300 mm public foul sewer requires a clearance of 3 metres on either side of the public foul sewer to protect it from construction works and to allow for future maintenance access. • No development or tree planting should be carried out within 3 metres of the external edge of the public foul sewer without consent from Southern Water. • No soakaway, swales, ponds, watercourses, or any other surface water retaining or conveying features should be located within 5 metres of a public foul sewer. • All existing infrastructure should be protected during the course of construction works.
6.5	<p>Nature Space</p> <p>The ecological report is acceptable, and it is determined that for this development a licence will be required.</p> <p>The applicant has two options which require further information prior to the reserved matters application being determined, to satisfy the planning authority that great crested newts can be dealt with.</p> <ol style="list-style-type: none"> 1. Updated surveys of the ponds and 2. on-site habitat may be needed to ensure that there have been no significant changes since the previous surveys.

	Ecological surveys are likely to be valid for up to 12 months (CIEEM, 2019).
6.6	<p>ESCC Archaeology</p> <p>The proposed development is of archaeological interest due to the scale of the development and its position within a landscape with evidence of activity during the Mesolithic/Neolithic, Roman and post-medieval periods. The application is accompanied by a Heritage Desk Based Assessment which has concluded that the application site has a very low potential for remains predating the post medieval period but that there is potential for features associated with post-medieval agricultural activity on the site. Whilst we do not disagree with this assessment, we would emphasise that very little prior archaeological investigation has been carried out in the vicinity of the site, and the actual archaeological potential of the site might be better described as unknown.</p> <p>In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss.</p>
6.7	<p>LDC Contaminated Land Officer</p> <p>I note that the applicant has submitted a preliminary risk assessment report prepared by RSK Geoscience (Report ref: 52349 R1, dated 31st May 2022).</p> <p>Considering the sensitive use of the site, an intrusive investigation is required at the site. So, I concur with the report para 7.1.</p> <p>If the LPA is minded granting a planning permission, then considering the sensitive use of the site and based on the preliminary risk assessment report already submitted with the application, I recommend conditions and an informative are attached.</p>
6.8	<p>ESCC Landscape Officer</p> <p>Objects to the proposal as it is an Outline Application and without precise details there cannot be certainty on the landscape impacts.</p> <p>Notwithstanding this recognises that the long-term effects on the wider landscape character and views could be acceptable...however the development would have some potential significant localised adverse impacts.</p> <p>There is the potential for tree loss within the scheme and a requirement for a substantial landscape buffer to the site to provide a degree of mitigation.</p> <p>If the scheme is to be approved, then the following conditions to be imposed:</p> <p>a) A high-quality design and layout for the built form, which reflects local vernacular.</p>

	<p>b) A landscape masterplan and full implementation of landscape mitigation measures.</p> <p>c) Detailed planting plans and specifications for proposed planting.</p> <p>d) The retention of category B oak trees and adequate buffers to boundary trees and woodland.</p> <p>e) A long-term management plan to ensure the successful establishment of the planting.</p> <p>f) Existing trees and hedges are retained and protected during construction and reinstated if removed or damaged.</p>
6.9	<p>LDC Ecologist</p> <p>At present insufficient information has been provided in relation to the ecological base line of the site, no net loss and biodiversity net gain. Further information is required regarding the habitats present prior to clearance works, and the biodiversity net gain assessment should be updated to reflect these.</p> <p>The site offers habitat for a range of protected and notable species. At present the proposed areas of retained / created habitat and associated buffers do not appear appropriate to avoid adverse impacts on protected and notable species.</p> <p>OFFICER COMMENT: The BNG figure will be derived from a baseline based on the pre-clearance figure. Should the outline application be approved, an appropriate layout that incorporates necessary buffers to safeguard protected species would need to be submitted, noting that the permission would apply for 'up to' 56 dwellings.</p>
6.10	<p>Natural England:</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation.</p>
6.11	<p>LDC Tree Officer</p> <p>Whilst in principle we see no specific arboricultural objection to some form of development at this site.</p> <p>The proposed layout and landscape do not represent the best possible sustainable design, in that the development fails to effectively protect or enhance the existing natural assets that are key to the character and amenity of the area, as such we are unable to support the proposal based upon the information submitted to date.</p> <p>The mandatory requirement is to achieve at least a 10% biodiversity net gain increase from the pre-development biodiversity value.</p> <p>It is advised that Category B trees are to be retained to ensure tree succession. Consideration of removal trees will be given where there is robust evidence to support this. It is advised that the applicant consider and make design alterations with regard to Category B</p>

	<p>trees. (No objection to the proposed removal of Category C trees T24, 33)</p> <p>3-5 new trees to be planted for every Cat B tree lost (including, where appropriate, off-site provision in the local area) to facilitate a net increase in the number of trees and canopy area)</p> <p>A Tree planting scheme must be designed taking into consideration the nature of the site, especially in such compact arrangements where both restricted rooting and crown development constraints/future pressure to prune for parking bay clearance, falling leaves, twigs, fruit, and other arisings perceived as 'nuisance', come into play. Failing to do this often leads to poor root/crown development, stunted growth, and tree failure /premature death. Typically, 20% of trees die within five years of planting with degradation of the remaining stock soon after.</p> <p>Proposal must take into account post development pressure upon trees in relation to distance of trees to properties and street furniture regarding tree pruning, crown reduction, removal due proximity and advise a robust condition in relation to this. Note chapter 7.8 submitted Barton HYETT Associates Ltd. Arboricultural Impact Assessment reference: CSA_5782_08 dated 23/05/2022.</p> <p>Detailed Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement required.</p> <p>OFFICER COMMENT: The submitted layout is in indicative format only and full details would need to be provided at the reserved matters stage, should outline permission be granted. The concerns raised could therefore be addressed at this stage, noting the officer has no objection to the principle of the development of the site.</p>
6.12	<p>CPRE Sussex:</p> <p>This appears to be exactly the same as the previous application LW/22/0418, which was refused. If there is any difference, I have failed to spot it. As a simple matter of professional consistency, if an application that has been refused is resubmitted without modification, it must be refused again, for the same reasons, by officers using delegated powers. This resubmission is a waste of time and effort for all parties involved.</p> <p>This proposal is for a textbook example of completely unsustainable development. It would be completely car-dependent. At a time when one of the greatest threats to our society is climate change, it must be recognised that "sustainable" and "car-dependent" are mutually incompatible descriptions.</p> <p>This application is for a new commuter development at a highly car-dependent village location with very little useful public transport (2 hourly bus service during weekdays, none on Sundays). Within Chailey parish the site is remote from even the few local services there are. Most travel to work, every trip to a supermarket or for shopping, many journeys to access medical or dental services and every journey to the distant primary school (in North Chailey) would</p>

necessarily be by private motor vehicle - as is already the case for current residents. The narrow but busy A275 (more a B road than an A road in character) has no cycle lane, while walking along its paths, where present, is made a very unpleasant experience by the speeding traffic a few feet away from you. Crossing the A275 is hazardous even for nimble young adults. No one in their right mind would walk along this route with small children. Suggestions to the contrary in the travel statement accompanying the application are pure fantasy. Lewes DC has declared a Climate Change Emergency and committed itself to policies that combat such change. Approval of this application would, because of its completely unsuitable location, be a clear signal of insincerity.

In particular this would be a very poor location for people needing affordable-rented housing. If unable to afford a private car such residents would have few and unreliable means to access employment; would have no accessible village shop, even if they could afford village shop prices; would have a very long, difficult and dangerous walk to the nearest primary school (walking to and from the school to deliver children and then later collect them would take much of the day); would be unable to afford the very high bus fares to access the supermarkets in Lewes or other towns; and would be unable to access many medical or any dental services.

The scale of the proposed development is grossly excessive in size for this small village, and for the capacity of the site itself. The development density proposed (38 dph) is way above the maximum density for village housing recommended in the Local Plan. Exceeding this density has two inevitable consequences - inadequate parking for the numbers of new vehicles that would be brought to South Chailey if this development were to be approved and ridiculously small gardens. These points are emphasized by Fig.5.2 of the Design & Access statement, and the contrast between the proposed new houses and their extant neighbours.

The development would have a strongly negative impact on the setting of the immediately adjacent grade 2 listed Swan House.

Prior to submission of the first application a substantial number of trees and other vegetation was cleared from the site, as is evident from Google Earth views of the site taken on different dates. The trees appear to have been removed without a Forestry Commission felling licence. The base line for the biodiversity improvements required must be the situation before this site clearance took place.

The application would result in the loss of attractive countryside behind ribbon development along the A275, and it would itself extend that unattractive ribbon development. Its benign neglect over a long period has been very beneficial for wildlife, so that it now has high biodiversity value.

OFFICER COMMENTS:

- a) Professional Consistency – the application should be refused.

Because of professional consistency and the narrowness of the previous overturn (LW/22/0418) the application is again recommended for approval.

b) Unsustainable development and car dependant. The scheme would be remote from few local services.

The proposed scheme is clearly in a sustainable location and no more car dependant than the existing village. The village, (like Ringmer) is split in two (south and north of Mill Lane on the A275). The scheme meets the 8 tests of the Interim Policy Statement on Housing Delivery 2021).

- It is contiguous with the settlement boundary
- It is appropriate in size and character to South Chailey and does not push out into the countryside landscape more than existing development on Kenwood Lane/Whitegates Close
- The scheme can provide safe and convenient pedestrian and cycling access to local facilities. It would be close to healthcare and a secondary school, it would be about a 1000m walk, (on a bus route) to the nearest post office/general store, (similar to the Broyle/Ringmer situation). The distance to primary schools would, however, be further.
- The scheme would not cause any settlement coalescence
- No impact on SDNP
- The scheme can achieve BNG
- The scheme would follow the traditional growth pattern of the existing village and would be, in design terms, in character. The density of the scheme at 21hdh (2.64 hectares divided by 56 homes), would be policy compliant
- The site would be affordable housing compliant, would provide off site transport infrastructure (ped, cycle and PT) and onsite green infrastructure.

c) The Village has little public transport. The A275 is narrow and unpleasant for walking and cycling.

The village has bus routes on the A275 and Mill Lane and the scheme would help enhance these. The scheme would enhance walking and cycling facilities and support better pedestrian crossing of the A275.

d) The scheme is “anti climate emergency”.

On the contrary the, the scheme is pro climate management. It is in a sustainable location.

e) At 38 dph the scheme is overdevelopment.

The scheme is policy compliant at 21 dph.

--	--

7.	Other Representations:
7.1	<p>113 letters of objection have been received and relevant content is summarised below.</p> <ul style="list-style-type: none"> • Inadequate infrastructure. • Loss of green field/countryside. • Public transport in the area is poor. • Unsustainable, car dependent location. • Site is on an unsafe stretch of road with narrow footways. • Negative impact upon the setting of Grade II Listed Swan House. • Density of development would be too high. • Loss of habitat. • Unsuitable location for affordable housing due to lack of local services. • Neighbouring residents will lose privacy and rural outlook. • The site was cleared prior to the application being submitted. • Loss of habitat. • Exceeds the allocated number of new dwellings for South Chailey. • Would result in light pollution. • Would set a precedent for further greenfield development. • Surrounding roads are not cycle-friendly. • The site was formerly part of the gardens of the Swan Inn and was accessible to the public. • Increase in traffic will result in pollution. • Contrary to the Council's declaration of a climate emergency. • There would not be enough space available for recreation and parking. • No obvious job opportunities in the surrounding area. • Small starter homes needed not large dwellings. • The land on and around the site suffers from subsidence. • Will exacerbate existing surface water drainage issues. • Construction works will cause sustained disruption to neighbouring residents. • There are no gas mains in the village. • Water quality in the area is poor.

- Recent nearby developments are not fully occupied, indicating more houses are not needed;

58 letters of objection have been received, to date, in relation to LW/23/0417 and these are summarised below: -

Will result in the loss of the rural setting of the village;

The road is congested, and the proposed access would not be safe;

Trees and other vegetation have been cleared from the site;

Not a sustainable site and not suitable for the needs of young families;

Lack of infrastructure;

Loss of biodiversity;

Potential ecological impacts upon surrounding waterways which include trout populations;

Accessibility to surrounding open space is overstated by the applicant as much of it is privately owned or difficult to reach from the application site;

The setting of the Grade II Listed Swan House would be harmed;

Would be a car reliant form of development;

Increased traffic on the A275;

Site notices have not been displayed in appropriate places;

The proposal is identical to the previously refused scheme;

Deadline date for comments is not clear;

The site is within the vicinity of moderate/good agricultural land and is needed for food production;

Would be a dormitory development with few occupants spending significant time in Chailey;

There is nothing for young people to do in the area;

Contrary to Chailey Neighbourhood Plan;

There are protected species on site;

Loss of tranquillity and consequential impact upon mental health;

Would harm air quality;

Character of the village already harmed by previous development, and this would be a step too far;

8.	Appraisal:
8.1	<p><u>Key Considerations:</u></p> <p>Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>The NPPF also advises that there is a presumption in favour of sustainable development.</p> <p>The main considerations relate to</p> <ul style="list-style-type: none"> • the principle of the development. • the impact upon the character and appearance of the area • neighbour amenities, • impacts upon highway/pedestrian safety. • flood risk, • the quality of the accommodation to be provided. • 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.
8.2	<p><u>Principle of Development</u></p> <p>Para. 11 of the National Planning Policy Framework (NPPF) (2021) states that decision taking should be based on the approval of development proposals that accord with an up-to-date development plan without delay.</p> <p>Section 5 of the Framework sets out policies aimed at delivering a sufficient supply of houses and maintaining the supply to a minimum of five years' worth (Paragraph 73).</p> <p>Spatial Policy 1 (Provision of housing and employment land) states that in the period between 2010 and 2030, a minimum of 6,900 net additional dwellings will be provided in the plan area (this is the equivalent of approximately 345 net additional dwellings per annum).</p> <p>This has been reviewed given the age of the local plan and the application of the standard methodology has been used to derive a housing need figure of 782 homes per year.</p> <p>This has been further disaggregated to reflect to housing delivery of the South Downs national Park resulting Lewes District housing figure of 602 homes per annum.</p>

	<p>The Council currently has a supply of deliverable housing land equivalent to 3.02 years outside the South Downs National Park (SDNP).</p> <p>As the Council cannot identify sufficient housing land to meet the 5-year demand, a 'tilted balance' must be applied when assessing applications for new housing, as per para. 11 d) of the NPPF. This approach directs the Council to only refuse schemes where the harm caused would significantly outweigh any benefit seen in the context of the aims and objectives of the NPPF and relevant development plan policies.</p> <p>It is acknowledged that the scheme promotes policy compliant affordable housing which includes 25% First Homes. Housing delivery and affordable housing delivery weigh positively in the planning balance.</p> <p>The application will therefore be assessed on this basis in the main body of this report.</p>
8.3	<p><u>Impact on Landscape Character</u></p> <p>The site lies to the immediate south of the settlement of South Chailey. The Landscape Capacity Study notes that the edges of the village are typically bordered by large, pastoral fields as well as pockets of dense woodland. The open nature of the surrounding countryside results in it being sensitive to change, as development in such a setting would result in artificial subdivision of fields that are exposed to prominent views from surrounding downland.</p> <p>The study does, however, identify there is scope for development of smaller parcels of land adjacent to existing development to the south of Mill Lane. The application site comprises fields that are small in comparison to those found in the wider surrounding countryside and are also relatively disconnected from the wider rural landscape on account of being flanked by existing development to the south and east as well as being screened by woodland to the south and west.</p> <p>Whilst development in South Chailey may originally have followed a linear pattern along the A275 there has been an established pattern of infill development, particularly to the northern part of the settlement, and this development now forms part of the established character of the village. The proposed development would not extend beyond the well-defined western edge of the village, which includes properties on Hornbuckles Close, Whitegates Close and Mill Brooks. The southern extent of the development, whilst increasing the southerly projection of development on the western side of the A275, would not extend as far south as development on the opposite side of the road.</p> <p>The indicative plan submitted with the application illustrates that development could be focussed away from the ancient woodland to the south and west of the site and include capacity for strengthening of green buffers around the site. Other site boundaries also benefit from existing sympathetic screening in the form of trees and hedgerow.</p> <p>On approaching South Chailey from the south, the strongest sense of transition from the rural environment to the urban environment occurs on</p>

the emergence from a section of road that passes through the woodland to the north of Little Exceat Farm. Development on the eastern side of the A275, which is set back behind mature landscaping, is immediately apparent. It is considered that the proposed development, which is set further back from the woodland, would effectively mark a natural continuation of the rural/urban transition from the south to the north and would therefore not appear disruptive or incongruous provided the built form conforms to the semi-rural characteristics of the settlement as a whole. The transition would continue, and intensify, as the road continues to the north and passes Swan Court, Swan Close and other minor residential roads that branch off to the east and west.

Whilst gaps would need to be formed in the hedgerow flanking the highway to allow for pedestrian/cycle and vehicular access the bulk of the hedgerow would be retained and would play a significant role in filtering views of any development and maintaining a semi-rural setting. The gap in the hedgerow formed for the access would also be consistent with gaps formed at frequent intervals to serve farm tracks and minor residential roads as the A275 traverses the settlement.

The density of the development would be approx. 21.5 dwellings per hectare, this being towards the lower end of the suggested appropriate density range for a village setting of 20-30 dwellings per hectare, as defined in LLP1 policy CP2. Whilst the density would be marginally higher than seen on Swan Court and Swan Close, these neighbouring appear denser when viewed from the road due to the orientation of buildings and proximity to the road. Development further to the north on roads such as Kilnwood Lane and Mill Brook is often at a higher density to that of the proposed scheme. It is also considered that the scale of the development is comparable to existing development of the northern edge of the settlement and that the development would not compromise the overall character of South Chailey as a rural village provided the layout and appearance of any submitted scheme is suitably informal and that soft landscaping is integral to the layout.

It is noted that policy HO4 of the Chailey Neighbourhood Plan states that all new houses should be restricted to two-storeys in height (not precluding use of the roof space). It is considered that there is ample space within the site to prevent the need for tall buildings, which would clearly appear out of character with the scale of the development across the settlement. A condition would be attached to any approval to ensure this policy is complied with.

It is considered that in more distant views, the proposed development would effectively knit in with the existing settlement, reinforcing the western boundary and not appearing to encroach into the wider countryside.

The ESCC Landscape Officer comments that any harm would be local and therefore it is considered that the site could accommodate development of the scale and nature proposed provided the buildings are appropriate in

	<p>terms of design, scale, and positioning and that a robust landscaping scheme is in place. This could all be appropriately addressed at the reserved matters stage and appropriate conditions.</p>
8.4	<p><u>Loss of Agricultural Land</u></p> <p>The site is greenfield and would appear to have historical pastoral use although no evidence of ongoing farming was found at the time of the site visit. The fields are small and disconnected from the wider surrounding agricultural environment, which is characterised by large, interconnected fields.</p> <p>Given the small size of the fields, their isolation from surrounding farmland and their proximity to residential development it is considered that they serve a limited purpose in terms of agriculture.</p>
8.5	<p><u>Access Arrangements</u></p> <p>The application seeks approval for a new site access that would serve the development. The scheme put forward includes a priority junction being formed on the eastern boundary, serving a two-way access road. A separate pedestrian and cycle access would be formed further to the north and would connect with a footpath/cycle path within the development.</p> <p>The speed limit at the point of the road where the site access would be formed is 40 mph. Speed restrictions are removed approx. 150 metres to the south of the site. Speed surveys submitted with the application show that 85 percent of vehicles passing the site are travelling at, or below, 46 mph. Visibility splays of 130 metres each way are considered necessary due to the speed of passing traffic and these can be provided across land that is under the control of ESCC Highways. It is therefore considered that the proposed access layout would allow drivers adequate visibility of oncoming traffic and pedestrians when turning out of the site and, as such, it is not considered that turning vehicles would present a highway hazard.</p> <p>ESCC Highways anticipate that a development of 56 dwellings would generate approximately 275 trips per day, with 27 of those being within the AM peak period (8am-9am) and 36 in the PM peak period (5pm-6pm). ESCC Highways consider that this increase in traffic is not significant and would not result in unacceptable levels of traffic on the A275.</p> <p>The separate pedestrian and cycle access would connect to a new footway which would extend northwards to the existing footway and southwards where it would connect with the new footway that runs from the Hamsey Lakes development towards South Chailey. It would also provide access to the public right of way that passes across the southern boundary of the site. A crossing point would be provided to allow pedestrians to access the bus stop opposite Swan House.</p> <p>It is therefore considered that the access arrangements for the proposed development would function safely for motorists, cyclists and pedestrians and suitable connectivity would be provided to encourage the use of public transport and walking to local destinations such as the school, South Chailey Surgery, and the local shop/post office to the north.</p>

	<p>The development is therefore considered to be in accordance with CNP policies HO5</p>
8.6	<p><u>Residential Amenity</u></p> <p>A sizeable proportion of the eastern site boundary adjoins the rear of properties on Swan Close and Swan Court as well as the rear garden of Swan House. The Swan Close gardens have been extended and are lengthy.</p> <p>It is considered that the size and shape of the site would allow for dwellings to be orientated so that that would back onto neighbouring dwellings, allowing for a suitable buffer to be provided between properties to ensure privacy is protected, that new dwellings would not appear overbearing and that there would be no unacceptable overshadowing would be generated.</p> <p>The residential use of the site would be consistent with surrounding development as would its intensity, noting the residential density is comparable with that of neighbouring development.</p> <p>Similarly, roads and parking areas servicing the development could be positioned away from site boundaries so as to prevent neighbouring residents from being subject to unacceptable levels of noise, light, and air emissions.</p> <p>The provision of a local area of equipped play would also help to foster a degree of community engagement and would also mean that families would not need to use their cars to access other facilities in the locality.</p>
8.7	<p><u>Impact upon heritage assets</u></p> <p>The site is adjacent to Swan House, a Grade II Listed dwelling. The building was used as a public house up until around 15 years ago when it was converted to a dwelling. The application site does not form part of the traditional curtilage of the building, with historic mapping documenting a historic use as pastoral fields/meadow. The building itself is set within a large, landscaped plot which is enclosed by a mix of flint walling and hedgerow.</p> <p>The proposal would introduce development to the rear of Swan House which would impact upon its setting by way of altering the agricultural/rural backdrop. However, it is considered that this could be mitigated to an extent by sympathetic planting, ensuring there are trees and hedgerow directly to the rear of the building. With such measures in place, and with dwellings directly to the rear of the building being designed to appear subservient to Swan House and similar in materiality, it is considered that any harm to the significance of the dwelling would be less than substantial.</p> <p>It is therefore considered that, provided the details submitted at the reserved matters stage show an arrangement that is sympathetic to the setting of the Grade II Listed Building, there would be no unacceptable adverse impact upon its character or setting.</p>

8.8	<p><u>Living Conditions for Occupants</u></p> <p>It is considered that dwellings could be delivered on site with suitable space retained for private and communal amenity use. The southern part of the site would have a street frontage and it is considered that this would allow development within the site to engage with the wider community. The size and shape of the site would allow for dwellings to be arranged in a manner that would allow them to interact well with one another, creating a sense of place, whilst also allowing suitable separation for private space to be formed and to ensure that residents would not be subject to any unacceptable overbearing or overshadowing impact.</p> <p>The quality of the living environment provided would be properly assessed at the reserved matters stage, should outline permission be granted.</p>
8.9	<p><u>Drainage and Wastewater</u></p> <p>The site is currently 100% permeable, there are no buildings or areas of hardstanding present.</p> <p>The surface water drainage strategy for the development of the site rules out the use of infiltration drainage due to the soil type not being suitable. It is proposed that surface water would be directed to an attenuation basin that would be positioned towards the south-western corner of the site. From there, surface water would be discharged at a managed rate into the existing watercourse running along the western edge of the site. The strategy estimates that the depth of the attenuated water would be 0.8 metres and discharge rate would be limited to 7.43l/s for all events up to a including the 1 in 100 year plus 40% climate change event (the greenfield discharge rate in such an event being 27.9 l/s).</p> <p>The Lead Local Flood Authority (LLFA) is supportive of the approach in principle subject to the relocation or reduction in size of the attenuation basin being considered and further details being provided as to how changes in site level would impact upon the flow of the existing course, with evidence required to demonstrate that there would not be an increase in flood risk downstream.</p> <p>The LLFA are satisfied that such matters could be addressed by condition and/or at the reserved matters stage.</p> <p>There is a public foul sewer running through the upper part of the southern field, close to where the proposed pedestrian and cycle access would be positioned. The sewer runs parallel to the southern boundary of Swan House before turning at right angles and crossing the rear gardens of Swan House, Swan Court and Swan Close. The proposed layout will need to account for the presence of the sewer, with an appropriate easement provided to allow for continued access and maintenance.</p>
8.10	<p><u>Landscaping and Ecology</u></p> <p>The site interior comprises natural grassland. Significant landscape features such as trees and hedgerow are concentrated towards the fringes of the site. As such, it is considered that the majority of these features could be retained and enhanced as part of any development.</p>

	<p>There would, however, be some loss of hedgerow on the eastern boundary (approx. 13 metres) to allow for the formation of the site access and sections of the same hedgerow may also require trimming in order for visibility splays to be maintained.</p> <p>There is also a hedgerow running between the northern and southern fields and sections of this may need to be cut back to allow for access to be provided between the two fields. It is noted that there is already a sizeable gap in place to allow for farm machinery to move between the fields.</p> <p>A medium population of slow worm was 4.58 confirmed on Site during surveys undertaken between March and May 2022. A peak count of 22 slow worms was recorded using the grassland habitat on Site. Low numbers of grass snake and common lizard also are utilising the Site as part of an occasional dispersal/foraging route.</p> <p>Appropriate mitigation would be controlled via conditions and by securing of biodiversity net gain (including off-site works) through the section 106 process, including maintenance and monitoring of enhancement works.</p>
	<p><u>Sustainability</u></p> <p>South Chailey is categorised as a local village in the settlement hierarchy set out in table 2 of LLP1. There are limited services within the immediate vicinity although it is noted that the development would have pedestrian connectivity with the school and GP surgery on Mill Lane.</p> <p>There are bus stops immediately adjacent to the site which are on a route between Lewes and Newick although the service is not particularly frequent. The service calls at Cooksbridge where there is a main line station. There is also a less frequent service to Burgess Hill and Uckfield.</p> <p>There is a local shop/post office approx. 1.2 km to the north of the site which can be reached by footway and is on a bus route. It is therefore considered that car dependency would be reduced to an extent, although there would be more of a reliance in regard to travel to places of employment and retail.</p> <p>Occupants of the development are likely to support local shops and services, thereby improving their viability and delivering a clear economic benefit.</p> <p>It is therefore considered that the site is in a sustainable location on the edge of an established village settlement, and it is noted that the development would deliver some measures that would improve the sustainability of the village as a whole in the form of improved pedestrian connectivity and provision of enhancements to the bus infrastructure in the form of seating, shelters, and real time information boards at the nearest two bus stops.</p> <p>The application is in outline form and, as such, it is not possible for all sustainability measures to be detailed at this stage. It is, however, noted that the development would utilise sustainable drainage systems that includes the formation of an attenuation pond that will also provide an amenity and habitat asset. This, as well as other open green space within</p>

	<p>the overall site area is considered to support the delivery of multi-functional green infrastructure as required by LLP2 policy DM14.</p> <p>Any application for approval of reserved matters would need to include a sustainability statement that confirms compliance with the aims and objectives of the recently adopted TANs 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, renewable energy, and carbon reduction measures, building layouts that maximise access to natural light, support for sustainable modes of transport, provision of electric vehicle charging points (minimum of one per dwelling), and facilities to support working from home.</p>
8.9	<p><u>Planning Obligations:</u></p> <p>Any outline approval granted would be subject to the following planning obligations: -</p> <ul style="list-style-type: none"> 40% affordable housing provision. Off-site biodiversity enhancements and associated management plan. An extension to the footway on the west side of the A275 to provide connectivity to the footway proposed as part of the Hamsey Lakes development to the south. A crossing point is proposed in two places to reach bus stops on the opposite side of the A275. Cycle access markings in the carriageway. Bus stop infrastructure improvements are requested at the 2 closest bus stops to include shelters, seating, kerbs, and real time information boards. Travel plan and associated audit fee Children's Play Space <p>The site does not fall within 7km of the Ashdown Forest and the development would therefore not be liable to SANGs and SAMMs contributions.</p>
8.10	<p><u>Human Rights Implications:</u></p> <p>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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p>
8.11	<p><u>Conclusion.</u></p> <p>The proposed site access would function safely and is of a suitable capacity to serve a development of the scale proposed. The development</p>

	<p>would not generate a level of traffic that would compromise the free flow of the surrounding highway network.</p> <p>It is considered that a development of the scale proposed could be accommodated within the site without compromising the established character of the village or the wider rural landscape.</p> <p>Although there would be an element of car dependency, the site is considered sustainable and there are local shops and services within a suitable walking/cycling distance as well as access to public transport. The development would deliver infrastructure improvements that would improve the sustainability of the site as well as the settlement.</p> <p>The development would deliver a significant social benefit by way of providing 56 new dwellings (including 40% affordable housing), thereby helping to meet the housing need of the district.</p> <p>The development would deliver economic benefit by providing construction jobs, accommodation for workforce associated with nearby businesses and by increasing potential custom/use of nearby businesses and services.</p> <p>The development would provide environmental benefit through facilitating on and off-site biodiversity enhancements and by delivering sustainable drainage. Further measures to reduce carbon emissions and energy use could be secured by condition.</p>
--	--

9.	Recommendations
9.1	<p>1. Approve subject to conditions and s106 to secure 40% affordable housing, off-site biodiversity works, highway and transport works and children's' play space.</p> <p>2. If the S106 is not completed within 3 months, then the application be refused on the lack of certainty on the infrastructure needed to support/mitigate the development</p>

10.	Conditions:
10.1	<p>Time Limit</p> <p>The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters, as defined in condition 2; to be approved, whichever is the later.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>

10.2	<p>Reserved Matters</p> <p>No development shall commence until details of the:</p> <ul style="list-style-type: none"> a) Layout (including site levels) b) scale c) appearance d) landscaping <p>(Hereinafter called "the Reserved Matters") have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the Reserved Matters shall be made within three years of the date of this permission. The development shall accord with the approved details.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
10.3	<p>Access Technical Details</p> <p>The development shall not commence until technical details of the highway scheme [which shall include footway/cycleway, access points, crossing points, right turn lane facility for cyclists, frontage treatment for sightlines] have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the development hereby permitted shall not be occupied until the construction of the highway scheme has been completed in accordance with the agreed technical details.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
	<p>Visibility Splays</p> <p>The access shall not be used until visibility splays of 2.4m by 130m are provided in both directions and maintained thereafter.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
	<p>Road Condition Survey</p> <p>No development shall take place, including demolition, on the site until an agreed pre-commencement condition survey of the surrounding highway network has been submitted and approved in writing by the Local Planning Authority. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.</p> <p>Reason: In the interests of highway safety and the amenities of the area</p>
	<p>Surface Water Drainage</p> <p>Prior to the commencement of any development a detailed surface water drainage plan shall be submitted to and approved by the Local Planning Authority in conjunction with the Lead Local Flood Authority. The plan must respond to the following requirements: -</p> <ol style="list-style-type: none"> 1. The principles of the submitted surface water drainage strategy should be carried forward to detailed design. The detailed design of

	<p>the drainage network should demonstrate how rainfall events up to the 1 in 100 (+40% for climate change) annual probability of occurrence are managed without increasing flood risk offsite. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should consider the connectivity of the different surface water drainage features.</p> <ol style="list-style-type: none"> 2. The details of the outfall of the proposed attenuation pond and how it connects into the watercourse should be provided as part of the detailed design. This should include cross sections and invert levels. 3. The condition of the ordinary watercourse which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the watercourse should be carried out prior to construction of the outfall. 4. The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely. <p>The development shall thereafter be carried out and maintained in full accordance with the approved details.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policies CP10 and CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.</p>
	<p>Completion of Drainage Works</p> <p>Prior to the first occupation of the development hereby approved, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policies CP10 and CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.</p>
	<p>Drainage Management and Maintenance Plan</p> <p>Prior to the commencement of any development, a maintenance and management plan for the entire drainage system should be submitted to and approved by the local planning authority in conjunction with the Lead Local Flood Authority in order to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:</p> <ol style="list-style-type: none"> a) 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) Provide evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

	<p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policies CP10 and CP12, LLP2 policy DM22 and paras. 163 and 165 of the NPPF.</p>
	<p>Proof of Drainage Implementation</p> <p>Before the development proceeds past dampproof course level, evidence (including photographs) shall be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.</p> <p>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.</p>
10.4	<p>Foul and Surface Water Drainage</p> <p>Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.</p> <p>Reason: In order to ensure drainage is managed correctly and surrounding water bodies are protected from pollution in accordance with LLP1 policies CP10 and CP12, LLP2 policy DM22 and paras. 163, 165 and 174 of the NPPF.</p>
	<p>Building Height</p> <p>No buildings or structures within the development shall exceed two storeys in height.</p> <p>Reason: In order to control the scale of the development in the interest of visual amenity and landscape impact in accordance with LLP1 policies CP10 and CP11, LLP2 policies DM25, DM27 and DM33, sections 15 and 16 of the NPPF and CNP policies HO1, HO4 and ENV1.</p>
10.5	<p>Contaminated Land Remediation</p> <p>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:</p> <ul style="list-style-type: none"> a) Additional site investigation scheme, based on preliminary investigations already undertaken (Ref: RSK Geoscience report dated 31 May 2022) 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

	<p>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.</p> <p>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 LLP1 policies CP10 and CP11, LLP2 policies DM20 and DM22, para. 170, 178 and 170 of the NPPF and CNP policy ENV5</p>
10.6	<p>Verification Report</p> <p>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.</p> <p>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 LLP1 policies CP10 and CP11, LLP2 policies DM20 and DM22 para. 170, 178 and 170 of the NPPF and CNP policy ENV5.</p>
	<p>Unsuspected Contamination</p> <p>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.</p> <p>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 LLP1 policies CP10 and CP11, LLP2 policies DM20 and DM22, para. 170, 178 and 170 of the NPPF and CNP policy ENV5.</p>

	<p>Construction Management Plan</p> <p>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,</p> <ul style="list-style-type: none"> • The anticipated number, frequency and types of vehicles used during construction, • The method of access and egress and routeing of vehicles during construction, • Measures to control noise, dust, and light emissions during works. • Measures to prevent discharge of dirt/mud onto the public highway • Measures to prevent flood risk both on and off-site during construction works. • Site waste management plan • Parking arrangements for site operatives and visitors • The loading and unloading of plant, materials, and waste, • Details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils, and fuel. • Details of any external lighting. • 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. <p>Reason: In the interests of highway safety and the amenities of the area in accordance with LLP1 policies CP10 and CP12, LLP2 policies DM20, DM22, DM23 and DM25 and paras. 108, 109, 110 and 174 of the National Planning Policy Framework (NPPF).</p>
10.7	<p>Construction Hours</p> <p>Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.</p> <p>Reason: In the interests of the residential amenities of the neighbours having regard to LLP1 policy CP11, LLP2 policies DM20 and DM23 and para. 174 of the NPPF.</p>

	<p>Earthworks</p> <p>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.</p> <p>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.</p>
	<p>External Lighting</p> <p>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.</p> <p>Reason: To protect the amenity and character of the surrounding countryside and to prevent disturbance of nocturnal species having regard to LLP1 policy CP10, LLP2 policies DM20 and DM24, paras. 170, 175 and 180 of the NPPF and CNP policy ENV7.</p>
10.8	<p>WSI (Archaeology)</p> <p>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.</p> <p>Reason: To enable the recording of any items of historical or archaeological interest in accordance with LLP1 policy CP11 and para. 192 – 194 of the NPPF.</p>
10.9	<p>Archaeological Works Report</p> <p>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 written scheme of investigation approved under condition.</p> <p>Reason: To enable the recording of any items of historical or archaeological interest in accordance with LLP1 policy CP11 and para. 192 – 194 of the NPPF.</p>
	<p>Landscaping and Tree Protection</p> <p>Prior to the commencement of any development the following details shall be submitted to and approved by the Local Planning Authority in conjunction with the ESCC Landscape Architect.</p> <p>a) A landscape masterplan and full implementation of landscape mitigation measures</p>

	<p>b) Detailed planting plans and specifications for proposed planting.</p> <p>c) Details of measures to protect and maintain the health of all retained trees and compensatory planting to mitigate the loss of any trees that are to be removed.</p> <p>d) A long-term management plan to ensure the successful establishment of the planting.</p> <p>Reason: In order to ensure the development integrates with and preserved its semi-rural setting and to provide suitable sympathetic screening to minimise visual impact upon the wider rural landscape in accordance with LLP1 policy CP10, LLP2 policy DM27, CNP policies ENV3, ENV5 and ENV6 and para. 174 of the NPPF.</p>
--	---

11.	Informative
11.1	<p>Waste Removal</p> <p>All waste material arising from any site clearance, demolition, preparation, and construction activities at the site should be stored, removed from the site, and disposed of in an appropriate manner.</p>

12.	Plans:
12.1	This decision relates solely to the following plans:

	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	SITE LOCATION PLAN	12.07.2023	CSA/5782/116
	PROPOSED SITE ACCESS ARRANGEMENT	12.07.2023	21-T155-02 Rev E
	PRELIMINARY SITE RISK ASSESSMENT	12.07.2023	52349 R01 (02) Rev 02

12.	Appendices
12.1	None.

13.	Background Papers
13.1	None.