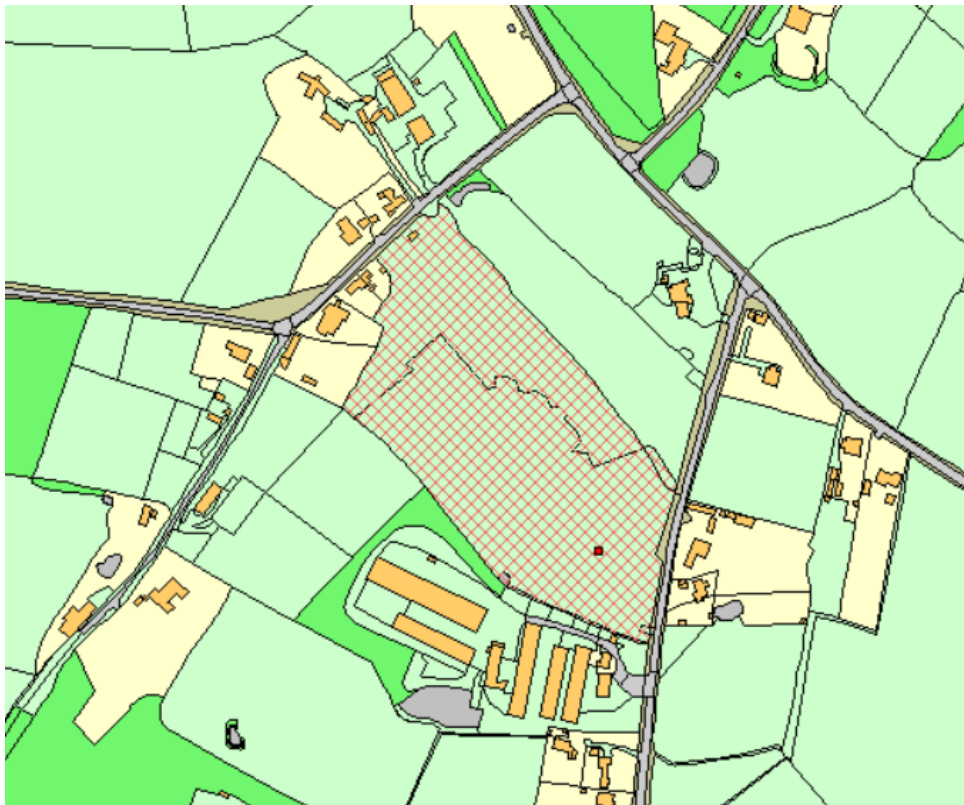


**Report to:** Planning Applications Committee  
**Date:** 6 December 2023  
**Application No:** LW/23/0583  
**Location:** Land North of The Old Brickworks, Station Road, Plumpton Green, East Sussex, BN7 3DF  
**Proposal:** Development of land to provide mixed use leisure and commercial park, including new commercial units, office hub, craft workshops and a wellness/fitness centre.  
**Applicant:** Mr B Ellis  
**Ward:** Plumpton  
**Recommendation:** Subject to a S106 Legal Agreement to cover the implementation and on-going maintenance of the Community Orchard, Meadow and Community Area then the application is recommended for approval subject to conditions listed in this report.  
**Contact Officer:** **Name:** James Emery  
**E-mail:** [james.emery@lewes-eastbourne.gov.uk](mailto:james.emery@lewes-eastbourne.gov.uk)

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



1	<b>Executive Summary and Relevant Planning Policies</b>
1.1	<p><u>Reason for the Referral to Committee</u></p> <p>This application has been advertised as a departure from the Development Plan.</p> <p>Part of the site is allocated within the local plan is for a Gypsy and Traveller site (G&amp;T).</p> <p>This proposal is recommended for approval and as such is deemed to be a departure for the adopted local plan and in terms of the constitution requires Committee endorsement.</p>
1.2	<p><u>Summary and Recommendation</u></p> <p>The application site is located to the north of Plumpton, between St Helena Lane and Station Road, to the north of the Brickworks commercial and industrial estate and to the south of The Plough public house.</p> <p>The application seeks outline permission with all matters reserved for development of the land to provide a mixed-use leisure and commercial park, including new commercial units, office hub, craft workshops and a wellness/fitness centre.</p> <p>Whist part of the site was allocated in the Local Plan as a Gypsy and Travellers site, this use has not materialised during the plan period. It is a material consideration that an alternative use an an equestrian facility for the treatment and recuperation of race/sports horses has already been approved under application LW/21/0503 – demonstrating that alternative uses have come forward..</p> <p>Para. 122 of the National Planning Policy Framework (NPPF) is quite clear that planning policies and decisions must reflect changes in the demand for land. The allocated Gypsy and Traveller use has not come forward during the current plan period, and so it is considered acceptable to engage Para.122 of the NPPF in the determination of this application.</p> <p>Officers are aware that the landowner is not now supporting this allocation and therefore it will not come forward in the plan period.</p> <p>In addition, it is acknowledged that through the emerging ‘new’ local plan an alternative site for G&amp;T use will be allocated to meet demand and if this cannot be secured then through the strategic site allocation (general housing need) there will be a requirement to provide G&amp;T plots to meet the demand.</p>
	<p>The indicative drawings indicate that the site has capacity to demonstrate a satisfactory layout to accommodate the amount of development proposed, allowing space on the site for access and turning, parking, sustainable drainage infrastructure, a vineyard as well as internal</p>

	<p>pathways from the bus stop and soft landscaping buffers along the site boundary.</p> <p>The final layout will be subject to approval under Reserved Matters (RM)</p> <p>The scheme is recommended for conditional approval.</p>
1.3	<p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development</p> <p>4. Decision making</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>
1.4	<p><u>Lewes Local Plan Part 1 (LLP1)</u></p> <p>CP4 - Economic Development &amp; Regeneration</p> <p>CP11 – Built and Historic Environment &amp; Design</p> <p>CP12 – Flood Risk, Coastal Erosion and Drainage</p> <p>CP14 – Renewable and Low Carbon Energy.</p>
1.5	<p><u>Lewes Local Plan Part 2 (LLP2)</u></p> <p>DM20 – Pollution Management</p> <p>DM23 – Noise</p> <p>DM24 – Protection of Biodiversity and Geodiversity</p> <p>DM25 – Design</p> <p>DM28 – Residential Extensions.</p>
1.6	<p><u>Plumpton Neighbourhood Plan (PNP)</u></p> <p>Policy 2 – Design.</p>
<b>2.</b>	<b>Site Description</b>
2.1	<p>The application site is located to the north of Plumpton, between St Helena Lane and Station Road, to the north of the Brickworks commercial and industrial estate and to the south of The Plough Public house.</p> <p>The application site is bounded by The Plough Inn public house and an open field to the north, Station Road lies to the east, The Old Brickworks commercial estate to the south and St Helena Lane to the west.</p> <p>The surrounding area is characterised by a scattering of buildings from a variety of periods which include a number of residential and commercial properties.</p>
2.2	<p>The topography of the site slopes from north to south with the high point at the northern end of the site and the low point at the southern corner. There</p>

	<p>are currently 3 no. vehicular access points onto the site, one at the southern corner of the site onto Station Road, another at the midpoint of the eastern boundary along Station Road and another off St Helena Lane.</p> <p>The site is located outside the planning boundary of Plumpton. There are no listed buildings or Conservation Areas on or adjacent to the site.</p> <p>The entirety of the site is located within Flood Risk Zone 1 (indicating the lowest risk).</p> <p>Save for the G&amp;T allocation there are no specific planning designations or constraints attached to the site or the immediate surrounding area.</p>
<b>3.</b>	<b>Proposed Development</b>
3.1	<p>The application seeks permission for development of the land to provide a mixed-use leisure and commercial park, including new commercial units, office hub, craft workshops and a wellness/fitness centre.</p> <p>All matters are reserved for subsequent approval; however, the illustrative information can be described as follows: -</p> <ul style="list-style-type: none"> <li>• The commercial units are split into sub-units to keep the layout of each unit consistent. They have been designed with roller shutter doors for vehicles and dedicated pedestrian entrances, with alternative escape access to the rear.</li> <li>• The studio / craft units have a single storey design, which is more rural in appearance and offer accommodation to smaller businesses such as crafts-based workshops as well as health and leisure-based companies.</li> <li>• The proposed wellness centre is to be accommodated in a bespoke building with entrance lobby, café, shop, toilets and Pilates/yoga studio on the ground floor and a gym, changing rooms, sauna and therapy rooms located on the first floor. The Pilates/yoga studio will have direct access to the covered, outdoor exercise areas and garden.</li> </ul> <p>The proposed buildings will have a rural appearance, utilising a steel portal frame and an outer shell design. Internal walls have been minimised to allow for flexibility of interior spaces. Modular spans between the portal frames will enable the units to be easily split or merged.</p> <p>The materials pallet will establish a clear identity for the site - comprising dark grey single-ply membrane roofs, black coloured composite aluminium cladding walls with natural Larch cladding details. Windows and doors will be black powder coated aluminium; rainwater goods will be black coloured UPVC.</p> <p>The proposed café/restaurant and wellness centre are designed to utilise the same pallet of materials but to appear as a distinctly different building which will reflect its different use. The elevations of the office hub, studios</p>

	and commercial units also utilise the same pallet of materials with a mixture of pitched and parapeted flat roof forms to create variety and interest.
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<b>4.</b>	<b>Relevant Planning History:</b>
4.1	<b>LW/21/0503</b> - equestrian facility for the treatment and recuperation of race/sports horses – Approved 07/04/2022.

<b>5.</b>	<b>Consultations</b>
5.1	<p><b>Plumpton Parish Council</b></p> <p>Plumpton Parish Council (PPC) unanimously supports this application. It would bring certainty to this site and provide employment and wellbeing amenities to Plumpton.</p> <p>It would also provide two community areas to the north of the field bordering the 'Plough' PPC notes that none of the residents neighbouring the site have objected and all have been consulted by Bedford Park Developments.</p> <p>PPC welcomes the support for a 40mph limit around the site, but this should not be a condition of planning permission. PPC notes that the site will have its own wastewater treatment plant and not be a burden on the main sewer which is at capacity.</p> <p>PPC remains opposed to any residential housing development north of the Police house and would want to be reassured that there is no part of the permission that would allow residential use.</p> <p><b>ESCC Highways</b></p> <p>Initially offered a holding response.</p> <p><b>OFFICER COMMENT.</b> As this application is outline with all matters reserved, it is considered that further details can be submitted as part of a forthcoming 'Reserved Matters' application. The applicant has demonstrated that there is adequate scope for the layout and access to be developed.</p> <p><b>Southern Water</b></p> <p>Southern Water offered no objection to the proposed works.</p> <p><b>LDC Contaminated Land</b></p> <p>LDC Contaminated Land commented that, considering the historic contaminative use in the site surrounding area and some sensitive uses of the proposed development, I recommend the submission of land contamination desktop study to support the application.</p>

### **Sussex Police**

Sussex Police offered no objection to the proposed application from a crime prevention perspective.

### **NatureSpace (Great Crested Newts)**

NatureSpace has requested further information from the applicant in order to assess the application.

**OFFICER COMMENT.** As this application is outline with all matters reserved, it is considered that further details as requested by NatureSpace can be submitted as part of a forthcoming 'Reserved Matters' application.

### **East Sussex Fire and Rescue Service (ESFRS)**

ESFRS offered no objection to the proposed development, commenting that If this application receives approval the Developer is required to ensure there is sufficient water for firefighting in accordance with the Water UK National Guidance Document. This is usually achieved by the provision of Fire Hydrant(s) attached to a suitable water main. They recommended that early consultation with East Sussex Fire & Rescue Service is recommended to ensure that all needs are met.

### **ESCC SUDS**

The Lead Local Flood Authority offered a holding objection to the proposed development, requesting further information to demonstrate the drainage strategy for the site.

**OFFICER COMMENT.** As this application is outline with all matters reserved, it is considered that further details as requested by SUDS can be submitted as part of a forthcoming 'Reserved Matters' application.

### **PLANNING POLICY**

Part of the application site is allocated by Local Plan Part 2 Policy GT01 for 5 permanent Gypsy and Traveller pitches. This proposal would conflict with that allocation.

Since the adoption of LPP2 development of the site has not progressed and no applications have been submitted for the allocated use.

It is understood from the Planning Statement submitted with the application that the landowner has reconsidered their position and confirms they have no intention of delivering the site as a Gypsy and Traveller site.

The site cannot be considered deliverable for the allocated use. However, while the site is no longer deliverable for the allocated use, it remains a site allocation in the adopted Local Plan.

In terms of the proposal.

	<p>LPP1 Core Policy 4 supports the delivery of new office space to meet modern requirements, and encourages small, flexible, start-up and serviced business units.</p> <p>Core Policy 6 whilst supporting development that reinforces or enhances the identified role of the centre in the retail hierarchy, also encourages proposals for small scale rural retail and community where they provide for local needs.</p> <p>LPP2 Policy DM1 states that outside the planning boundaries, the distinctive character and quality of the countryside will be protected, and new development will only be permitted where it is consistent with a specific development plan policy or where the need for a countryside location can be demonstrated. Large scale employment development should be focused on the most sustainable settlements.</p> <p>Policy DM10 states that outside planning boundaries proposals for small scale employment development will be permitted where it involves the conversion or re-use of existing agricultural or other rural buildings.</p> <p>Policy DM11 supports the redevelopment or intensification of existing employment sites where certain criteria are met. However, the site is not considered to be a redevelopment or intensification of the existing adjacent site, it has its own access and is not linked nor dependant on the existing development and there is no information submitted setting out how the proposal would facilitate the retention of the existing site which is understood to be in active use. Therefore, it is not considered that Policy DM11 applies in this situation.</p> <p>The Planning Statement sets out that the application will bring economic and social benefits with new facilities for Plumpton, the application proposes a number of uses on the site including employment uses, commercial uses and a wellness centre. However, the site is not accessible to the village, there is no footpath connecting the site with the village and therefore it is likely that the majority of people would access the site by private car.</p>
<p><b>6.</b></p>	<p><b>Other Representations</b></p>
<p>6.1</p>	<p>We consulted with 49 adjoining neighbours.</p> <p>In response to these consultations - representations were received from six people (x1 Objection, x1 Support (from Locate East Sussex) and x4 Neutral).</p> <p>Issues raised are summarised as follows:  Loss of Privacy  Overlooking  Ecological Impacts  Security of surrounding businesses</p>

	<p>Highway Hazards  Traffic Generation  Overbearing Structures  Drainage  Loss of Open Space  Noise and Disturbance  Building in the Countryside  Impact on existing Town Centre  Impact on AONB</p> <p>OFFICER RESPONSE: This application is Outline with all matters reserved, it is considered that the objections may be overcome as more detail comes forward at Reserved Matters (RM) stage.</p>
7.	<b>Appraisal</b>
7.1	<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"> <li>• the principle of the development.</li> <li>• the impact upon the character and appearance of the area</li> <li>• neighbour amenities,</li> <li>• impacts upon highway/pedestrian safety.</li> <li>• flood risk.</li> </ul>
7.2	<p><u>Principle of Development</u></p> <p>The site is located outside the defined planning boundary as defined by policy DM1 of the Lewes District Local Plan part 2 (LDLP Part 2), and as such will need to comply with all other applicable policies of the Local Plan to be found acceptable.</p> <p>Whilst the site was allocated in the Local Plan as a Gypsy and Travellers site, this use has not materialised during the plan period and the landowner is not now promoting the site for the allocated use.</p> <p>Para. 122 of the National Planning Policy Framework (NPPF) is quite clear that planning policies and decisions must reflect changes in the demand for land. The NPPF outlines that where the local planning authority</p>



considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan then it should:

- i. Reallocate the land for a more deliverable use that can help to address identified needs; and*
- ii. Prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.*

This application has been advertised as a departure from the development plan and can therefore be assessed as an alternative use for the site which might address an unmet need.

Core Policy 4 of the Lewes District Local Plan Part 1 (LDLP Part 1) outlines the Key Strategic Aim of the Council to promote economic development and regeneration. The policy sets out that development will be permitted where it would support the rural economy and enhance the vitality and viability of the district's retail centres and local centres as hubs for shopping, business, entertainment, cultural and community life.

Core Policy 4 of the LDLP Part 1 builds upon this Strategic Aim by elaborating that development should aim to support the appropriate intensification, upgrading and redevelopment of existing employment sites through mechanisms including mixed use schemes and encourage and support small, flexible, start-up and serviced business units in rural areas via a number of methods including development of well-designed new buildings for suitable business uses.

It is noted that the site lies immediately adjacent to an existing to and it is contiguous with an existing employment site in Plumpton. Its siting would accord with Policy 6 of the Plumpton Neighbourhood Plan (PNP), which specifies that proposals to expand an existing employment or business use will be supported, subject to development respecting local character, residential amenity, and highway safety.

It is therefore considered that the proposed development site can be supported in principle.

7.3

#### Design and Landscape Character

The application is in outline only; however, the indicative drawings indicate a satisfactory layout to accommodate the amount of development proposed, allowing space on the site for access and turning, parking, sustainable drainage infrastructure, a vineyard as well as internal pathways from the bus stop and buffers along the site boundary.

It is considered that the community open space and orchard are an essential element of the proposal in terms of providing soft buffer to the wider landscape beyond the new built-up area. This will be controlled via a S106 agreement.

	<p>Being contiguous with an existing employment site, the proposed development would not unacceptably harm the character of the area. A substantial portion of the north of the site would remain undeveloped, contributing to the rural nature of the area between Station Road and St Helena Lane. The final layout will be subject to approval under Reserved Matters (RM).</p> <p>Detailed design, landscaping and materials will be the subject of further consideration under RM. However, the drawings and the Design and Access Statement indicate, materials, scale, style, and typology that is acceptable. It is considered that the proposal can comply with policies CP11, DM25 of the LDLP Parts 1/2 and Policy 2 of the PNP</p>
7.4	<p><u>Impact upon Neighbour Amenities</u></p> <p>The application is in outline only; however, the indicative drawings indicate that the site has sufficient space to accommodate the amount of hard and soft landscaping required.</p> <p>It is not considered that this proposed development would unacceptably harm the amenities of neighbours through overlooking, noise, access, or overshadowing. It is noted that the final details will be submitted under Reserved Matters (RM).</p> <p>Regarding Land Contamination, a condition is suggested requiring submission of a contamination report prior to works commencing on site as requested by the LDC Contaminated Land Officer.</p>
7.5	<p><u>Sustainability and Drainage</u></p> <p>This application has been submitted on the basis that wastewater from the site will be handled by a new private package treatment system and as such there will be no impact on Southern Water's foul water network from the proposed development.</p> <p>The applicant is pro-actively working with the LLFA and has confirmed that they agree to a condition requiring detailed surface water drainage proposals to be submitted at RM stage.</p> <p>Regarding Ecological impacts, the site itself is not subject to any statutory ecological designations, nonetheless a Preliminary Ecological Appraisal has been submitted with the application. The report concludes that the site primarily comprises a species-poor improved grassland field, with areas of dense scrub, scattered trees, and hardstanding.</p> <p>The PEA report concluded that potential adverse effects on designations are unlikely subject to the implementation of appropriate mitigation measures.</p> <p>As previously outlined, this application is an outline permission with all matters reserved, and as such it is considered that conditions requiring further survey work and mitigation measures to be carried out, prior to any</p>

	<p>works commencing on site in order to ensure no protected species are present on the site. In the unlikely event that protected species are found to be present there is ample land within the applicant's ownership outside of the red line of the application site to facilitate appropriate mitigation and/or compensation all of which may be secured by condition.</p>
<p>7.6</p>	<p><u>Access Transport and Parking</u></p> <p>The proposed access point is the same as the previously approved equestrian facility under application ref: LW/21/0503 which was Approved by the LPA.</p> <p>The development would be accessed via the existing Station Road site access, with proposed emergency access to the north along Station Road and additional access to the vineyard on St Helena Lane.</p> <p>The main access point appears wide enough to allow two vehicles to pass each other and therefore preventing the risk of vehicles stopping and obstructing the road whilst waiting to turn into the site.</p> <p>The applicant has submitted a sustainable transport strategy to accompany the proposals. It is the intention of the applicant to develop a cycling hub and ensure provision of direct links to the nearby bus stop via an internal footpath to the bus stop and public house. The development would contribute to reduction commuting times and provide EV charging infrastructure.</p> <p>However, as all matters including access are reserved in this outline application further detailed designs and technical scaled plans are required to be submitted and duly considered within a future RM application.</p>
<p>7.7</p>	<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>
<p>7.8</p>	<p><u>Conclusion</u></p> <p>The proposed development represents an appropriate use of the land and would integrate well with the existing employment site to the south, whilst preserving the setting of the wider rural environment. This would be achieved without adverse impact upon the amenities of neighbouring residents.</p> <p>As well as being contiguous with the existing employment site, it would deliver much needed amenities for rural citizens within close proximity of acceptable road, rail, and bus links.</p>

<b>8.</b>	<b>Recommendations</b>
8.1	Subject to a S106 Legal Agreement to cover the implementation and ongoing maintenance of the Community Orchard, Meadow and Community Area then the application is recommended for approval subject to conditions listed in this report.
<b>9.</b>	<b>Conditions</b>
9.1	<p><b>1.Time Limit</b></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><b>Reason:</b> To enable the LPA to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
	<p>(hereinafter called "the Reserved Matters") have been submitted to and approved in writing by the LPA. 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><b>Reason:</b> To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).</p> <p><b>3.Approved plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Location Plan (2209-P-100)</p> <p>Existing Site Plan (2209-P-001).</p> <p><b>Reason:</b> For the avoidance of doubt and in the interests of proper planning.</p> <p><b>4.Construction Management Plan</b></p> <p>No development shall take place, including any 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 throughout the entire construction period.</p>

The Plan shall provide details as appropriate but not necessarily be restricted to the following matters;

- the anticipated number, frequency and types of vehicles used during construction.
- the method of access and routing of vehicles during construction
- the parking of vehicles by site operatives and visitors
- the loading and unloading of plant, materials, and waste.
- the storage of plant and materials used in construction of the development.
- the erection and maintenance of security hoarding
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway.
- details of public engagement both prior to and during construction works.
- location of welfare facilities

**Reason:** In the interests of highway safety and the amenities of the area and to accord with Policy CP11 of the LPP1, policies DM20 and DM23 of the LPP2.

### **5.Tree Protection**

No development shall commence, including any works of demolition or site clearance, until details of the protection of the trees to be retained has been submitted to and approved in writing by the LPA. The measures of protection should be in accordance with BS5837:2012 and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.

**Reason:** In the interests of the amenity and the landscape character of the area in accordance with LPP1 policy CP10, LPP2 policy DM27 and section 15 of the NPPF.

### **6.Contamination report**

No development shall take place, including any demolition, ground works, site clearance, until (or such other date or stage in development as may be agreed in writing with the LPA), the following components of a scheme to deal with the risks associated with potential contamination of the site have been submitted to and approved, in writing, by the LPA:

- a. A preliminary risk assessment which has identified:
  - (i) all previous uses
  - (ii) potential contaminants associated with those uses
  - (iii) a conceptual model of the site indicating contaminants, pathways, and receptors
  - (iv) potentially unacceptable risks arising from contamination at the site.

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

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

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

Any changes to these components require the express consent of the LPA. 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 NPPF, para 174, 183 and 184].

## **7.Materials**

No development above slab level shall be carried out unless and until details and/or samples of materials and finishes to be used for the external walls, roofs, doors, and windows of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and/or samples.

**Reason:** To protect the appearance of the area and to accord with policy CP11 of the Lewes District Local Plan Part 1 and policies DM25 of the LLP2.

## **8.Hard and Soft Landscaping**

No development above slab level shall be carried out unless and until full details of a hard and landscaping scheme shall be submitted to and approved by the Local Planning Authority. These and these works shall be carried out as approved and completed prior to the first use of the building or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of comparable size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interests of visual amenity and of the environment of the development and to accord with policies CP10 and CP11 of the Lewes District Local Plan part one and policies DM25 and DM27 of the LLP2.

### **9.Works of Construction or Demolition**

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday – Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted.

**Reason:** In the interest of residential amenities of the neighbours having regard to Policy DM25 of LPP2.

### **10.Hours of Use (operational)**

No commercial activity is permitted unless within the following hours - 0700 to 2300 hours, on any day.

**Reason:** In the interest of residential amenities of the neighbours having regard to Policy DM25 of LPP2

### **11.Noise Management Plan (all units except Wellness Centre)**

No unit with the exception of the Wellness Centre shall be occupied until a Noise Management Plan for that use, including hours of operation, full details of loading/unloading arrangements, noisy activities, and all appropriate noise mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall be implemented in full on occupation (initial or subsequent) of each unit and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** to protect the amenity of local residents and to accord with Policies DM23 and DM25 of the LLP2.

### **12.Noise Management Plan (the Wellness Centre)**

The Wellness Centre shall not be occupied until a Noise Management Plan for its use, including hours of operation, full details of external activities and all appropriate noise mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be implemented in full on occupation and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** to protect the amenity of local residents and to accord with Policies DM23 and DM25 of the LLP2.

### **13.Deliveries and collections:**

No deliveries or collections of commercial goods or waste is permitted outside the following hours:

Mon to Fri 07:00 to 19:00 hours

Sat 08:00 to 13:00 hours

Sun and Public Holidays: none permitted.

**Reason:** to protect the amenity of local residents and to accord with Policy DM25 of the LLP2.

### **14.Noise levels from fixed plant and machinery**

Unless otherwise agreed in writing, noise associated with fixed plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed 43dB LA90, (T). The Rating Level is to be determined as per the guidance provided in BS 4142:2014. Details of fixed plant or machinery and any mitigation measures required to achieve this standard shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the commercial operation concerned begins operating on site, and thereafter be maintained in accordance with the approved details. Details of post installation testing shall be submitted to the LPA upon request.

**Reason:** to protect the amenity of local residents and to accord with Policies DM23 and DM25 of the LLP2.

### **15.Car parking and turning**

No part of the development shall be occupied until the car parking spaces and all turning areas have been constructed and provided in accordance with plans and details submitted to and approved in writing by the local planning authority as part of the Reserved Matters application. The areas shall thereafter be retained for those uses and shall not be used other than for the parking or turning of motor vehicles.

**Reason:** To provide adequate on-site car parking space for the development and to comply with policy CP13 of the LLP1.

### **16.Cycle parking**

No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the local planning authority



as part of the reserved matters application. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

**Reason:** To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to comply with policies CP11 and CP13 of the Lewes District Local Plan Part 1, policy DM25 of the LLP2.

### **17.External lighting**

Details of any external lighting to the site shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of any building. The development shall be carried out in accordance with the approved details.

**Reason:** In the interests of visual amenity and of the environment of the development and to accord with policies CP10 and CP11 of the Lewes District Local Plan part one and policies DM25 of the LLP2.

### **18.Surface Water Drainage**

Prior to the commencement of development, a detailed scheme for surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems, as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. The surface water drainage scheme shall include detailed drainage drawings, surface water run-off rates and calculations of flows, a survey of ditches and any required improvements to ditches, outfall flows and related details, and timetable for the completion of the surface water drainage scheme. The surface water drainage scheme shall be implemented in accordance with the approved details, including the approved timetable.

**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.

### **19.Groundwater**

Prior to the commencement of development, winter groundwater monitoring, to establish the highest annual ground water levels will be required to identify and evaluate all potential impacts of high groundwater levels to the Site and any elements of the drainage design so affected.

Where any such potential impacts are identified, a robust solution and supporting details will be provided to ensure that all elements of the Site and drainage apparatus are protected from the occurrence of hydrostatic uplift from the high groundwater. (These may include, but not be limited to the following; to a system of under drains/ land drainage constructed

beneath the base and banks of the basins to re-direct groundwater from beneath the basins to alleviate hydrostatic pressure acting on the basins, placement of soil or suitable planting medium on the liner will also to apply a downward force to further prevent floatation).

**Reason:** To protect the drainage system and the Site from the occurrence of hydrostatic pressure/ uplift and ensure the Sustainable Drainage Design continues to function as designed

## **20.Surface Water Drainage Management**

A maintenance and management plan for the entire drainage system shall be submitted to the Local Planning Authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:

- a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
- b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development

These details shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall thereafter remain in place for the lifetime of the development.

**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.

## **21.Foul Water Drainage**

The development hereby permitted shall not commence until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

**Reason:** In order to ensure foul water is managed effectively.

## **22.Highway construction**

No part of the development shall be occupied until the roads, footways and parking areas serving that part of the development have been constructed, surfaced, drained, and lit in accordance with plans and details submitted to and approved in writing by the local planning authority as part of the reserved matters application.

**Reason:** To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to the provisions of Policy CP13 of the LLP1.

	<p><b>23. Prevention of surface water discharge onto the highway</b></p> <p>Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway into the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.</p> <p><b>Reason:</b> To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding and to accord with LLP1 policy CP12, and policy DM22 of LLP2.</p> <p><b>24. Visibility Splays</b></p> <p>The access shall not be used until visibility splays 2.4m x 120m are provided in each direction. The splays are to be cleared of all obstructions exceeding 600 mm in height and kept clear thereafter.</p> <p><b>Reason:</b> In the interests of the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to accord with Policy CP13 of the LLP1.</p>		
<b>10.</b>	<b>Informatives</b>		
10.1	None.		
<b>11.</b>	<b>Plans</b>		
11.1	This decision relates solely to the following plans:		
	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	Site Location Plan	06.10.2023	2209-P-100
	Existing Site Plan	26.09.2023	2209-P-001
<b>12.</b>	<b>Appendices</b>		
12.1	None.		
<b>13.</b>	<b>Background Papers</b>		
13.1	None.		