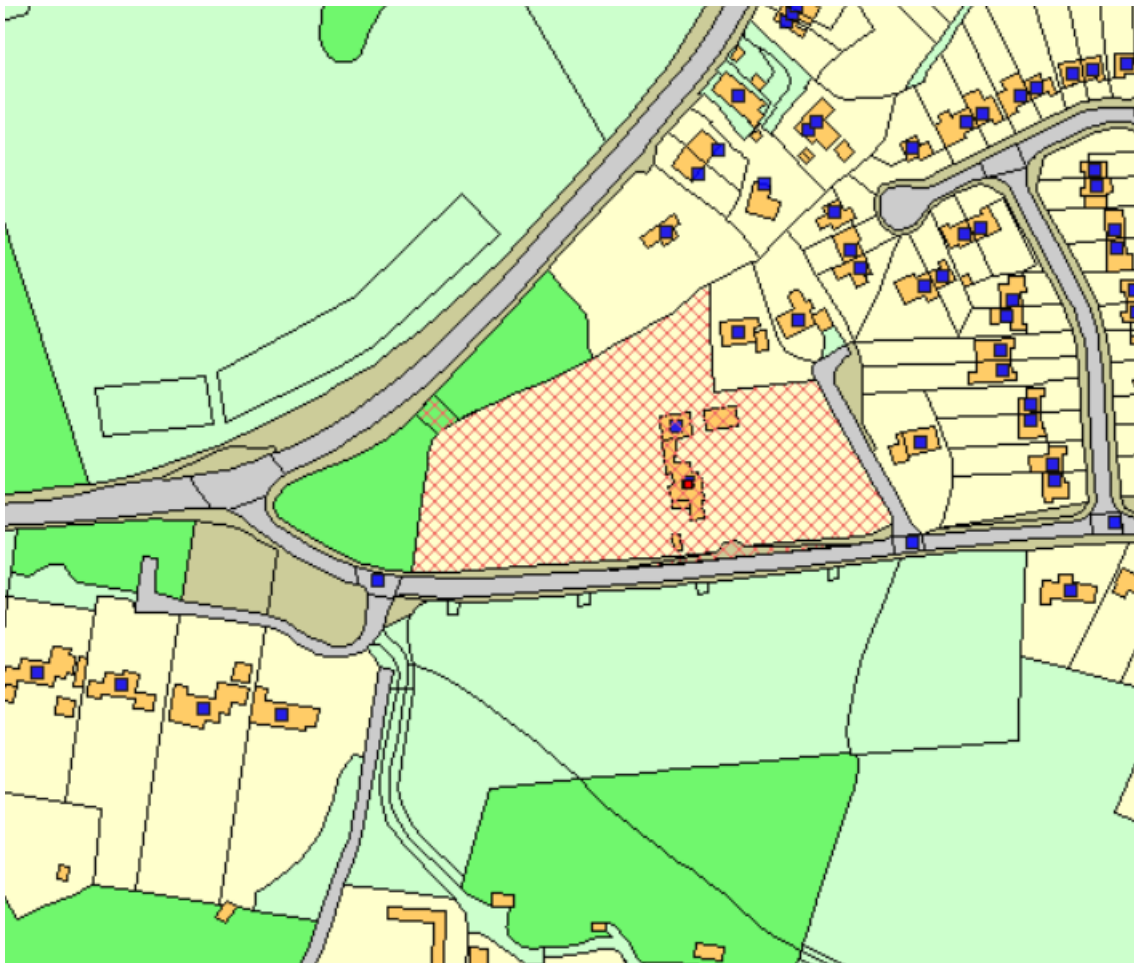


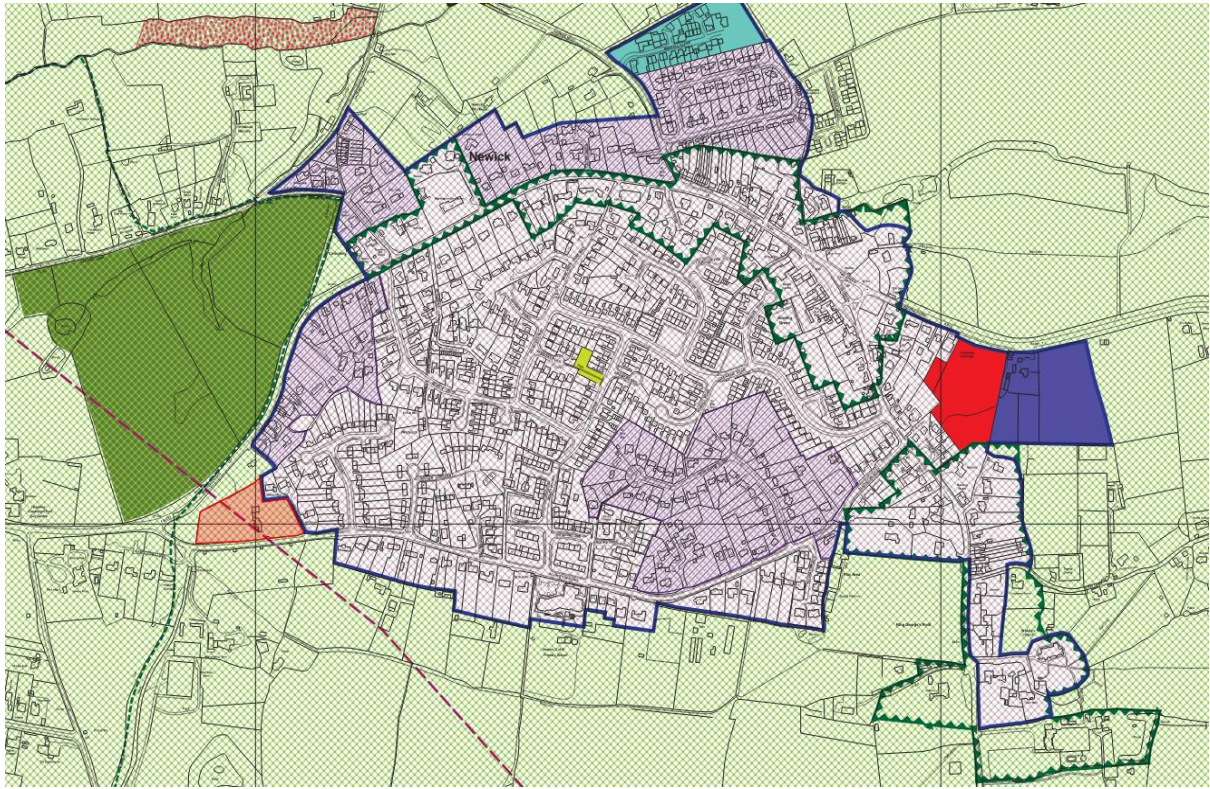
Report to: Planning Applications Committee
Date: 17th January 2024
Application No: LW/23/0511
Location: 104 Allington Road, Newick, BN8 4NH
Proposal: Demolition of existing dwelling and the erection of 6 x 4 bed homes, access, landscaping and associated infrastructure.
Applicant: Brookworth Homes
Ward: Newick
Recommendation: Grant planning permission subject to conditions and to receive and support an Undertaking for the Financial contribution towards the SANGS/SAMM.
Contact Officer: **Name:** Marc Dorfman
E-mail: marc.dorfman@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Site Location Plan



Site in relation to Newick Settlement Boundary



1.	Executive Summary
1.1	<p>This proposal is for the demolition of an existing home, (not listed or in a conservation area) and the development of 6 new homes on a single home and garden site. The site is located immediately outside, (to the west), but contiguous with, the settlement boundary of Newick. The site has one vehicle access point onto Allington Road.</p> <p>In 2019 (LW/19/0129) a scheme to retain the existing home and build an additional 5 homes was refused, and a subsequent appeal was “dismissed”. It was dismissed on the grounds that Lewes had a 5 year housing land supply, and the proposal would threaten the transition landscape from the village to the countryside. The Inspector noted the site was a garden and not open land, and so the proposed creation of two additional entrances onto Allington Road would mean the site would become visually more urban and its “enclosed landscape boundary” characteristic would be diminished, thus threatening its “landscape and countryside transition” function – i.e. ...moving Newick from a village to the countryside.</p> <p>The new scheme still proposes an increase from 1 to 6 homes, but retains only the single access/egress, (slightly widened), thus preserving the verdant landscaping that encloses the 0.87hectare site. Lewes now, no longer has a 5 year housing land supply and is in need of more new homes. (The housing allocation numbers in the LLP 1 for Newick are “minimums” only). The new scheme....</p> <p style="padding-left: 40px;">MORE EFFICIENT USE OF LAND</p> <p style="padding-left: 40px;">provides an opportunity to support a more efficient use of land, (for housing development), on a site that is already developed, very close to Newick village services, (therefore in a sustainable location),</p> <p style="padding-left: 40px;">DEVELOPMENT IN THE CENTRE OF THE SITE</p> <p style="padding-left: 40px;">with a design that keeps development in the middle of the site and away from substantial boundary landscaping and existing neighbours, yet following the pattern of homes with gardens.</p> <p style="padding-left: 40px;">PRESERVES BOUNDARY LANDSCAPE & TRANSITION TO COUNTRYSIDE</p> <p style="padding-left: 40px;">And, by retaining the significant boundary and woodland landscaping, the new scheme would better preserve the settlement’s “transition to the countryside” character to the west of Newick and the corridor to North Chailey.</p>
1.2	<p>This report recommends that the application is approved subject to relevant conditions and a Legal Undertaking that delivers the financial contribution to SANGS/SAMMS local mitigation site at Reedens Meadow.</p> <p>The planning balance assessment is set out in the Appraisal Section 8 and in the Conclusion Section 8.12.</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 home</p> <p>11. Making effective use of land</p> <p>12. Well-designed and beautiful places</p> <p>14. Climate Change management</p> <p>15. Conserving and enhancing the natural environment</p>
2.2	<p><u>Lewes District Local Plan:</u></p> <p>LDLP1: – CP2 – Housing Type, Mix and Density;</p> <p>LDLP1: – CP11 – Built and Historic Environment & Design</p> <p>LDLP1: - CP12 - Flood Risk, Coastal Erosion, Sustainable Drainage and Slope Stability</p> <p>LDLP1: – CP13 – Sustainable Travel</p> <p>LDLP1: – CP14 – Renewable and Low Carbon Energy</p> <p>LDLP2: – DM1 – Planning Boundary</p> <p>LDLP2: – DM24 – Protection of Biodiversity and Geodiversity</p> <p>LDLP2: – DM25 – Design</p> <p>LDLP2: - DM26 – Refuse and Recycling</p> <p>LDLP2: - DM27 – Landscape Design</p> <p>LDLP2: - DM30 – Backland Development</p>
2.3	<p><u>Newick Neighbourhood Plan:</u></p> <p>EN1 – Respect local landscape character and built environment.</p> <p>HO1.1 – Design</p> <p>HO1.2 – Materials</p> <p>HO1.3 – Height of new housing – no more than two stories</p> <p>HO1.4 – Size of housing to allow for all age groups.</p> <p>HO1.5 – Parking</p> <p>HO1.7 – Provision for SANGS/SAMS</p>
3.	Site Description and Key Characteristics
3.1	<p>The application site is 0.87hectares. It is a triangular site immediately to the west of Newick settlement. To the north is Western Road/A272 and to the south is Allington Road. To the east, (base of the triangle) are settlement properties that are located off Allington Road, (The Ridings) and off Western Road, (Western Road addresses).</p>

	<p>The site is significantly enclosed by dense boundary landscaping on all 3 sides and particularly on the Western Road/Allington Road frontages. To the north and west are mature deciduous woodlands. Most mature boundary trees are on the south side. The site is substantially covered by a group Tree Preservation Order TPO 13-1997.</p> <p>On site is an existing attractive large 2 storey home with separate garage and a concrete tennis court, all set in gardens that sit to the east and west of the house. The house is not listed or in a conservation area.</p> <p>The site is close to Newick village services and is 3 minutes walk from the nearest bus stop, (Lewes – Cuckfield – Haywards Heath), but 8.5 km from the nearest station, (like the rest of Newick village).</p> <p>The site has a single vehicle access opening onto Allington Road, which gives onto a gravel drive.</p> <p>The site is in Flood Zone 1, so a low risk of flooding.</p> <p>The site is within the 7km “zone of influence” Ashdown Forest. Policy LLP1 CP 10, requires protection from recreational and residential pressure on the Ashdown Forest through the funding of “Suitable Alternative Natural Greenspaces (SANGs) and an Ashdown Management Strategy (SAMMs). (So if permission is supported for this housing proposal, funding contributions towards the SANGs will be required).</p> <p>The whole of the site is outside but contiguous with, the western boundary of Newick village.</p>
4.	Proposed Development
4.1	<p>The application seeks full planning permission to demolish the existing house, garages and tennis court, and build 6 detached two storey 4 bed homes with both garage and forecourt parking and front and back gardens. The existing single access point will be retained and widened. This will give onto a new east/west street behind boundary landscaping on the south side of the site, providing access to the 6 new homes.</p>
4.2	<p>The design of the proposed new dwellings would be in a traditional style, with pitched and gable roofs, bay windows, formal porches, and brick and tile hung elevations.</p>
4.3	<p>The site contains a significant number of trees. Compared to the dismissed appeal scheme, which proposed 3 access vehicle points onto Allington Road and new housing plots north, east and west within the garden, the current scheme proposes felling fewer trees. Trees have been categorised into high (A), medium (B) and low (C) categories. No category “A” trees will be removed and only 2 “B” category trees will be removed. All the other trees to be removed, (some 30-40 out of 200) will be category “C”. These would make way for the proposed new street and homes in the centre of the site and the widening of the single access onto Allington Road. Mature trees on the southern boundary would be retained as would the woodland TPO.</p>

5.	Relevant Planning History
5.1	<p>LW/19/0129 – Appeal 3234681. “Retention of existing dwelling and erection of 5 dwellings and the creation of two additional vehicle accesses and landscaping”. Refused and Appeal dismissed 3-12-19.</p> <p>The Inspector explained (para 7) that the scheme would “represent a substantial increase of built form and associated development at the site and cause the site to appear as part of the settlement of Newick rather than a transitional part of the urban fringe”.</p>
6.	Consultations
6.1	<p><u>Newick Parish Council – Object</u></p> <ul style="list-style-type: none"> - This scheme should be refused like the previous scheme. - Unacceptable impact on the character and appearance of the countryside corridor between Newick and North Chailey. Six new houses would still be able to be seen from Allington Rd in particular. - Unsuitable location outside the settlement boundary. - Demolition of a fine old house should not be allowed and poor use of resources. - Concern about drainage and sewer capacity
6.2	<p><u>ESCC Landscape Officer:</u></p> <p>No response. Landscaping control conditions are proposed.</p>
6.3	<p><u>Green Consultancy – Contaminated Land</u></p> <p>No objection subject to conditions.</p>
6.4	<p><u>ESCC Drainage</u></p> <p>No response. Drainage and sewer design and capacity conditions are proposed.</p>
6.5	<p><u>Trees and Landscape Officer</u></p> <p>No response. Tree protection conditions are proposed.</p>
6.6	<p><u>Ecology</u></p> <p>No response. Biodiversity Net Gain and ecology protection conditions are proposed.</p>
6.7	<p><u>CIL Team</u></p> <p>As per the LDC Charging schedule this application would be liable for CIL should it be granted. And SANG and SAMMS contributions would be required if approved.</p>
6.8	<p><u>East Sussex Highways:</u></p> <p>No objection subject to conditions.</p>
6.9	<p><u>Southern Water</u></p>

	Requires a formal application for a connection to the public foul sewer to be made by the applicant/developer. Standard advice concerning SuDS schemes.
6.10	<u>Archaeology</u> No response. Not a designated area. Conditions are proposed.

7.	Other Representations
7.1	<p><u>Neighbour Representations</u></p> <p>Four letters of objection and one letter of support.</p> <p>Objections</p> <ul style="list-style-type: none"> - Outside of settlement boundary. So should not be supported. - Lewes Interim Policy Statement on Housing Delivery 2021 (IPSHD) is only guidance and not policy. (The IPSHD broadly supports schemes that are close to settlements and do not impact on landscape quality). - Village does need a further 6 homes - The village needs more homes, but there are better sites. 104 Allington, The Point, should be kept. - Newick has inadequate infrastructure for more homes - The access arrangements would be dangerous for pedestrians/school trips <p>Support</p> <ul style="list-style-type: none"> - New homes on the site would contribute positively to the village - Excellent design of an enclosed and sustainable plot.
7.2	<p><u>Newick Village Society – Object</u></p> <ul style="list-style-type: none"> - Outside of the village boundary and would have adverse impact on character of countryside. - Proposed scheme would urbanise a site which provided a transition from settlement to countryside. - Dismissed appeal scheme reasons for refusal, (19/0129) apply equally to the current scheme.

8.	Appraisal
8.1	<p><u>Principle of Development and Development Location:</u></p> <p>As LLP1 is now over 5 years old, the housing delivery target set out in policy SP1 (approx. 275 net dwellings per annum) is obsolete and the target now worked towards is therefore based on local housing need calculated using the standard method set out in national planning guidance as per para. 74 of the National Planning Policy Framework</p>

(NPPF). This has resulted in the delivery target rising to 782 dwellings per annum. This figure is disaggregated from the delivery from the South Downs National Park, resulting in an annual figure of 602.

Due to this increase in housing delivery targets, Lewes District Council is no longer able to identify a 5-year supply of specific deliverable sites for housing (5yhls).

Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This approach effectively adopts a 'tilted balance' in favour of housing development.

The NPPF does not recognise settlement boundaries, instead stating that decisions should avoid the development of isolated homes in the countryside (para. 80). The application site is not isolated, so it has development potential

LLP1 Spatial Policy 2 allocates a "minimum" of 100 new homes to Newick and LLP2 DM1 aims to focus housing development inside settlement boundaries. However both these policies have very little weight in the planning balance since Lewes does not have 5yhls.

Therefore, the principle of development on the application site, (subject to good planning and design standards) is accepted.

8.2

IPSHD Assessment

The Council adopted an Interim Policy Statement on Housing Delivery (IPSHD 2021) that accepts development may need to be allowed on sites outside of settlement boundaries based on 8 criteria.

Criterion 1. *That the site boundary is contiguous with an adopted settlement planning boundary, as defined on the Local Plan Policies Map.*

COMPLIES.

Criterion 2. *The scale of development is appropriate to the size, character, and role of the adjacent settlement, having regard to the settlement hierarchy set out in LPP1 Table 2. In deciding whether the scale is appropriate, the Council will take account of the cumulative impact of extant unimplemented permissions in the relevant settlement.*

At 6 dwellings, the proposed development is modest in scale and is appropriate to the status of Newick as a Rural Service Centre.

COMPLIES.

Criterion 3. *The proposed development will provide safe and convenient pedestrian and cycle access to key community facilities and services within the adjacent settlement.*

Allington Road has a pavement on either side, providing safe and convenient access for pedestrians. Within the village, there is a range of services and facilities, including a primary school, children's play space, recreational and sports facilities, pubs, restaurants, and shops within comfortable walking distance of the site, a bus stop within 3min walk of the site for the 121-bus service linking Newick with Lewes and Chailey.

COMPLIES.

Criterion 4. *The proposed development, individually or cumulatively, will not result in the actual or perceived coalescence of settlements. Where appropriate, this should be demonstrated through the submission of a visual and landscape character impact assessment.*

The proposal will not result in the coalescence of other nearby settlements. **COMPLIES**

Criterion 5 *Within the setting of the South Downs National Park, an assessment is undertaken to demonstrate that the proposed development will conserve the special qualities of the National Park.*

No impact on the SDNP. **COMPLIES**

Criterion 6 *An ecological impact assessment is undertaken, and appropriate measures identified and implemented accordingly to mitigate any potential adverse impacts of the development on biodiversity and secure biodiversity net gain in accordance with the Council's Biodiversity Net Gain(BNG) Technical Advice Note (February 2021).*

An ecological impact assessment has been submitted. Conditions are proposed to deliver BNG and ecological protection. **COMPLIES**

Criterion 7 *The proposed development will make the best and most efficient use of the land, whilst responding sympathetically to the existing character and distinctiveness of the adjoining settlement and surrounding rural area. Arbitrarily low density or piecemeal development, including the artificial subdivision of larger land parcels, will not be acceptable.*

Policy CP2 of the Local Plan Part 1 sets out a range of 20-30 dph for rural/village areas. The density of this site would be low – but this is considered to be justified due to the landscape constraints and prevailing character and density of the built environment south of Allington Road.

Given this context, the constraints of the site and the local character, the proposed density is considered to be acceptable and to comply with Criterion 7 of the IPSHD.

The proposed scheme makes efficient use of the existing house and garden site and aims to preserve the substantial boundary landscaping that defines its countryside transition zone characteristic. The proposed 6 new homes will to some extent compromise this transition role. **PART COMPLIES**

Criterion 8 *It can be demonstrated that the proposed development is deliverable and viable, having regard to the provision of necessary on-site infrastructure, including affordable housing, green infrastructure and other requirements. Where the proposed development would create the need to provide additional or improved off-site infrastructure, a programme of*

	<p><i>delivery should be agreed with the relevant infrastructure providers to ensure that these improvements are provided at the time they are needed.</i></p> <p>The scheme is small scale and can be linked into the existing service infrastructure in the village. At 6 dwellings, affordable housing is not sought. CP2 LLP1 seeks a housing mix and in particular 2 and 3 bed homes. This is not provided. PART COMPLIES.</p> <p>Overall, the proposed scheme meets the IPSHD 8 criteria.</p>
8.3	<p><u>Housing Mix and Density</u></p> <p>With regard to LLP1 CP 2 Housing and Density, the proposed scheme does not deliver a policy compliant housing mix. All homes are proposed to be 4bed. And whilst the scheme makes better use of the site than existing, the proposal is still below a normal village density. In addition the Newick NP (policy HO1.6) does not support “garden development”.</p> <p>Overall, the scheme does not meet policy in this area.</p> <p>However, officers on balance, would argue that because of the need for homes and careful design of the scheme, the adverse design impacts do not outweigh the scheme’s benefits.</p>
8.4	<p><u>Good Design</u></p> <p>In terms of layout and appearance, (the scheme’s traditional house design and simple street design), the proposal complies with policies relating to good design CP11, DM25, HO1.1, HO1.2, HO1.3. and EN1. The proposed new dwellings meet the Nationally Described Space Standard in terms of overall unit size, bedroom size and storage space. The layout makes use of the south facing elevation. The rear gardens are well sized. The site layout avoids any mutual overlooking. There will be no impact on the amenity of adjoining properties.</p> <p>Overall, the scheme meets policy.</p>
8.5	<p><u>Impact on Landscape and Countryside</u></p> <p>The building of 6 homes will have an adverse impact on the landscape setting, (compared to only one existing home) as well as the site’s transitional function of moving the western edge of the village into the wider countryside. However, the site itself is very enclosed and the proposal, by locating development in the centre of the site broadly protects its enclosed landscape nature and therefore to some extent its transitional function – whilst at the same time making more efficient use of this already developed site. Indeed, officers would argue that the site has more of a relationship to the village and residential development to the east, than it does with the open countryside, and that the site’s western boundary is more naturally the settlement boundary, taking into account the meeting of Western and Allington Roads.</p> <p>Overall, the scheme does not meet policy.</p>

	However, officers on balance, would argue that because of the need for homes and careful design of the scheme, the adverse design impacts do not outweigh the schemes benefits.
8.6	<p><u>Transport, Access, and Parking</u></p> <p>Sufficient turning space, access and egress. Good parking and cycle parking.</p> <p>Overall, the scheme meets policy.</p>
8.7	<p><u>Flooding and Drainage</u></p> <p>The application was accompanied by a preliminary Drainage Strategy. Conditions are proposed to cover drainage and sewer capacity and design.</p> <p>Overall, the scheme can meet policy with the imposition of conditions.</p>
8.8	<p><u>Ecology, Trees and Biodiversity</u></p> <p>Garden development will inevitably reduce biodiversity and there will be a loss of trees. Loss of trees is not supported by Lewes policy or the NPPF. The TPO woodland will be largely preserved. However, the scheme substantially protects the mature boundary landscaping and focuses development in the centre of the site and makes more efficient use of an already developed site. Ecology protection and BNG conditions are proposed.</p> <p>Overall, the scheme can marginally meet policy with the imposition of conditions and a requirement for BNG on or off site.</p>

8.9	<p><u>Sustainability</u></p> <p>Planning policy does not require a specific reduction in carbon dioxide emissions, either through energy efficiency, low carbon or renewable technology. Lewes has a Technical Advice Note that encourages reuse of buildings rather than their demolition, (and the reuse of construction materials), but there is no policy at a local or national level that prevents demolition, so schemes need to be assessed in the round, based on a number of policy aims. The applicant has submitted a “sustainability and energy” assessment and energy performance certificate calculations. This shows a comparison between the carbon emissions of the existing single home and the proposed 6 new homes.</p> <ul style="list-style-type: none"> a) Existing Single Home: 14,000 CO2 kg per year b) Existing Home with carbon saving measures: 9,400 CO2kg per year (e.g. insulation; replace gas boiler; install renewable energy sources) c) 6 New Homes plus air source heat pumps: 4,461 CO2kg per year, (i.e. for all 6 together). <p>Overall, the scheme can meet policy CP 14 through the imposition of conditions.</p>
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8.10	<p><u>Planning Obligations:</u></p> <p>Legal Undertaking for funding contributions to the Ashdown Forest SANGS/SAMMS.</p>
8.11	<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 taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.</p>
8.12	<p><u>Conclusions:</u></p> <ol style="list-style-type: none"> 1. Presumption in favour of sustainable development - Lewes' lack of a 5yhls means there is a very strong presumption in favour of housing development, when considering all LP policies together and the National Planning Policy Framework as a whole. <u>Significant positive weight. There would also be further positive economic development positive planning weight generated by housing development, both in terms of jobs and support for shops and businesses locally in Newick.</u> 2. IPSHD - The proposal, overall, meets the IPSHD 8 criteria designed to assess suitable housing development outside settlement boundaries. (This is guidance and not policy, but the Authority's Local Plan housing policies are now considered out of date and the IPSHD was designed to guide decisions whilst the LP is brought up to date). <u>Moderate positive weight.</u> 3. Housing Mix and Density – the proposal is not policy compliant. It does not offer smaller homes and its development density is low for a village scheme. However, on balance, officers argue the need for well design homes in sustainable locations outweigh the adverse policy impacts of the scheme. <u>Moderate negative weight.</u> 4. Design – the scheme is well designed and meets policy. <u>Moderate positive weight.</u> 5. Impact on Landscape and Countryside – the proposal is not policy compliant, but, on balance, officers argue the adverse impacts, (mitigated by the design) are outweighed by the benefits. <u>Moderate negative weight.</u> 6. Transport, Access and Parking – the proposed scheme complies with good design standards. <u>Moderate positive weight.</u> 7. Flood and Drainage Management – proper development will be achieved through compliance with conditions. <u>Moderate positive weight.</u> 8. Ecology, Trees and Biodiversity Net Gain – There will be some loss of trees but the most important trees and boundary landscaping will be maintained and BNG will be achieved through a condition. <u>Moderate negative weight.</u>

	<p>9. Sustainability – Whilst the scheme would result in the demolition of a perfectly good home, the carbon emissions from 6 new home would considerably reduce overall ongoing emissions. <u>Moderate positive weight.</u></p> <p>It is considered that the benefits of the proposal significantly outweigh the disbenefits and that planning permission should be approved.</p>
9.	Recommendations
	<p>Grant planning permission, subject to the conditions, and receiving and a Legal Undertaking to provide for the financial contributions for SANGS and SAMMS.</p>
10.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. Construction Management Plan 2. Construction Environmental Management Plan 3. Archaeology 4. External Lighting 5. External Materials 6. Sustainability 7. Wastewater 8. Surface Water Drainage 9. Drainage Strategy, Maintenance and Management Plan 10. Drainage Installation 11. Ecological Design and Biodiversity Net Gain 12. Landscape and Ecological Management Plan 13. Landscape 14. Tree Protection 1 15. Tree Protection 2 16. Tree Protection 3 17. Transport – cycles 18. Transport – Refuse 19. Transport – Vehicle Turning 20. Transport – EV 21. Transport – Visibility Splays 22. Transport – Parking 23. Removal of Permitted development 24. Contamination - Unexpected Contamination 25. Contamination - Asbestos Survey
10.1	CONSTRUCTION MANAGEMENT PLAN

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,

- Site illumination, noise, vibration, dust, air pollution and odour
- Construction hours
- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and egress and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding/fencing,
- 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 construction waste management, opportunities for recycling and appropriate neighbour friendly removal
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with LLP2 policies DM20, DM23 and DM25 and neighbour amenity paras. of the National Planning Policy Framework (NPPF).

10.2

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) risk assessment of potentially damaging construction activities.
- b) identification of “biodiversity protection zones”.
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) the location and timing of sensitive works to avoid harm to biodiversity features.

	<ul style="list-style-type: none"> e) the times during construction when specialist ecologists need to be present on site to oversee works. f) responsible persons and lines of communication. g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.</p> <p>Reason: To ensure that any adverse environmental impacts of development activities are mitigated, to avoid an offence under the Wildlife and Countryside Act 1981, as amended, The Conservation of Habitats and Species Regulations 2017, as amended, and the Protection of Badgers Act, 1992, and to address Core Policy CP10 of the Lewes District Local Plan 2016</p>
10.3	<p>ARCHAEOLOGICAL ASSESSMENT</p> <ul style="list-style-type: none"> a) 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. b) No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the approved written scheme of investigation. <p>Reason: To enable the recording of any items of historical or archaeological interest in accordance with Core Policy 11 in the Lewes District Local Plan Part 1; Joint Core Strategy 2010 - 2030; coupled with the requirements of paragraphs 189 - 199 of the National Planning Policy Framework 2018.</p>
10.4	<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 Policy CP10 of the Lewes District Local Plan part one, policies DM20 and DM24 of the Lewes District Local Plan part two and countryside and neighbour amenity paras. Of the NPPF.</p>

10.5	<p>EXTERNAL MATERIALS</p> <p>No external materials or finishes shall be applied until a schedule of materials has been submitted to an approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with those details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interest of visual amenity and sustainability in accordance with LLP1 policy CP11, LLP2 policy DM25 and design para. of the NPPF</p>
10.6	<p>SUSTAINABILITY & ENERGY MANAGEMENT MEASURES</p> <p>Further to the applicant's submitted "sustainability and energy report", the proposed development shall not be occupied until:</p> <ul style="list-style-type: none"> a) full details of all renewable/carbon saving/energy and water efficiency measures to be incorporated into the scheme have been submitted to and approved by the Local Planning Authority. All measures approved shall thereafter be provided prior to the occupation of any dwelling and maintained in place thereafter throughout the lifetime of the development. b) Energy management. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained. <p>Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with LLP1 policy CP14, LLP2 policy DM20 and climate management paras of the NPPF.</p>
10.7	<p>WASTEWATER REINFORCEMENT</p> <p>Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development. This is to be secured through written evidence and approval from Southern Water and presented to the Local Planning Authority in advance of any occupation.</p> <p>Reason: In order to ensure suitable arrangements for foul water disposal are in place in accordance with LLP1 policies CP7 and CP10, LLP2 policies BA02, DM20 and DM22 and housing infrastructure paras of the NPPF</p>

10.8	<p>SURFACE WATER DRAINAGE</p> <p>No development approved by this permission shall be commenced until full details of surface water drainage, have been submitted to and approved by the Local Planning Authority. This will need to include confirmation that there is capacity for the highway drain to serve the development and that a connection agreement is in place. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall be take place until the approved works have been completed. The surface water drainage system shall be retained as approved thereafter.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and flood and infrastructure paras. of the NPPF.</p>
10.9	<p>DRAINAGE STRATEGY AND MAINTENANCE & MANAGEMENT</p> <p>A drainage strategy and a maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site. No development shall commence, including any ground works until a drainage scheme for the site has been submitted to and approved by the Local Planning Authority and the works carried out as approved. The scheme shall include proposals for both storm and foul drainage, supported by calculations to demonstrate that the system and capacity will support the number of dwellings proposed, as well as a plan for its future management. The management and maintenance plan should ensure the designed system considers design standards of those responsible for maintenance. The management plan should cover the following:</p> <ul style="list-style-type: none"> a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority. <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and flood and infrastructure paras.of the NPPF.</p>
10.10	<p>DRAINAGE INSTALLATION</p> <p>Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.</p> <p>Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and flood and infrastructure paras. of the NPPF.</p>
10.11	<p>ECOLOGY 1 DESIGN STRATEGY & BIODIVERSITY NET GAIN</p>

No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation, compensation, and enhancement of the site for biodiversity has been submitted to and approved in writing by the local planning authority. This will include a baseline Biodiversity Study and the formal assessment of how to deliver a 10% gain post development of the baseline over 30 years.

The EDS shall include the following:

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

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

Reason: In order to preserve the biodiversity of the site having regard to policy DM24 of the Lewes District Plan and guidance within the National Planning Policy Framework.

10.12 ECOLOGY 2 LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions;

	<p>f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);</p> <p>g) details of the body or organisation responsible for implementation of the plan;</p> <p>h) ongoing monitoring and remedial measures.</p> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.</p> <p>Reason In order to preserve the biodiversity of the site having regard to policy DM24 of the Lewes District Plan and guidance within the National Planning Policy Framework.</p>
10.13	<p>HARD AND SOFT LANDSCAPING & BOUNDARY TREATMENT</p> <p>No development above ground floor slab level of any part of the development hereby permitted shall commence until details, including materials, of all hard and soft landscaping and boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>The landscape scheme should include additional habitat creation/enhancement measures and compensatory habitat for protected species, as advised by the council's Ecology Team</p> <p>Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11, DM24, DM25 and DM27 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework</p>
10.14	<p>TREE PROTECTION MEASURES 1</p> <p>Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed Arboricultural consultant, site manager and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details, or any variation as may subsequently be agreed in writing by the LPA.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.</p>

10.15	<p>TREE PROTECTION MEASURES 2</p> <p>Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where Arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990.</p>
10.16	<p>TREE PROTECTION MEASURES 3</p> <p>The completed schedule of site supervision and monitoring of the Arboricultural protection measures as approved in condition (insert condition number) shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted.</p> <p>This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.</p> <p>Reason: In order to ensure compliance with the tree protection and Arboricultural supervision details submitted under condition pursuant to section 197 of the Town and Country Planning Act 1990.</p>
10.17	<p>TRANSPORT - CYCLE PARKING</p> <p>The development shall not be occupied until the covered and secure cycle parking stores shown on the submitted plans have been provided.</p> <p>Reason: To provide alternative travel options and encourage use of alternatives to the use of the private car, in the interests of sustainability in accordance Policy CP13 of Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework</p>
10.18	<p>TRANSPORT - REFUSE AND RECYCLING</p> <p>The development shall not be occupied until refuse and recycling bin facilities have been provided.</p> <p>Reason: In the interests of the amenities of the area, having regard to policy DM26 and guidance within the National Planning Policy Framework.</p>
10.19	<p>TRANSPORT - VEHICLE TURNING</p> <p>The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved</p>

	<p>plans and the turning space shall thereafter be retained for that use and shall not be obstructed.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.</p>
10.20	<p>TRANSPORT - EV CHARGE POINTS</p> <p>The development shall not be occupied until electric car charging points have been fitted for all parking space and ready for use.</p> <p>Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.</p>
10.21	<p>TRANSPORT – VISIBILITY SPLAY</p> <p>The access shall not be used until visibility splays of 2.4m by 43m in both directions are provided for the access onto Allington Road and maintained thereafter.</p> <p>Reason: To ensure pedestrian and highway safety</p>
10.22	<p>TRANSPORT – PARKING</p> <p>The development shall not be occupied until the parking areas have been provided in accordance with approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highways Authority and the areas, thereafter retained for parking purposes.</p> <p>Parking spaces shall be at least 2.5m by 5m (plus an extra 50mm where spaces abut walls).</p> <p>Reason: to ensure pedestrian and vehicle safety.</p>
10.23	<p>REMOVAL OF PD RIGHTS</p> <p>Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 and Part 2 of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.</p> <p>Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>
10.24	<p>CONTAMINATION - UNEXPECTED CONTAMINATION</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.</p>

	Reason: To ensure that risks from 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 Policy DM21 of the Lewes District Local Plan and the National Planning Policy Framework.		
10.25	CONTAMINATION - ASBESTOS SURVEY		
	<p>Prior to demolition, a full asbestos survey must be carried out on the building to be demolished. Any asbestos containing materials (ACMs) must be removed by a suitable qualified contractor and disposed off-site to a licenced facility. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos.</p> <p>Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework].</p>		
10.26	INFORMATIVE - TRANSPORT		
	Transport and access requirements associated with this development proposal will need to be secured through a s184 Legal Agreement between the applicant and ESCC. Contact Transport Development Control (01273 482254). Roadworks permit contact ESCC Highways Tel. 0345 60 80 193.		
10.27	INFORMATIVE - CONTAMINATION		
	<p>(a)The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition and other works associated with the development hereby permitted. For more information please visit http://www.hse.gov.uk/Asbestos/regulations.htm</p> <p>(b) All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, remove from the site and disposed of in an appropriate manner.</p>		
11.	Plans:		
11.1	This decision relates solely to the following plans:		
	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	Additional Documents	June 2023	Ground Contamination Risk Assessment – Ashdown R15776

		August 2023	Foul & SUDs GTA Civils
		July 2023	Landscaping Specification - Brookworth
		July 2023	Arboricultural Assessment – David Archer
		August 2023	Ecological Report – AA Environmental
		August 2023	Sustainability and Energy Statement - Bluesky
	Landscape	August 2023	Landscape Proposal – BR0244253
	Transport	July 2023	12563/220 Rev P 4 Access, Visibility and Refuse Tracking
	Buildings	July 2023	Garages Plots 1-4 and 6. PL15 Rev P1
			Plot 5 House type Caston. PL-14 Rev P1
			Plot 4 House type Dudley. PL-13 Rev P1
			Plot 3 House type Darby PL-12 Rev P1
			Plot 2 House type Dorchester PL-11 Rev P1
			Plots 1-6 House type Dalton PL-10 Rev P1
	Plans	July 2023	Detailed Site Layout PL-05 Rev P1
			Proposed Site Layout PL-04 Rev P1
			Sketch Site Layout PL-04 Rev P1
			Proposed Block Plan PL-02 Rev P1
			Site Location Plan PL-01 Rev P1
			Site levels and Contours 12563/1801 Rev P2
			Drainage Strategy Layout 12563/1601 Rev P3
	Studies	July 2023	Design and Access Statement
			Transport Report
			Planning Statement

			Visualisation 1 PL-17 Rev P1
			Visualisation 2 PL-18 Rev P1
			Proposed Street Scene PL16 Rev P1
			Community Infrastructure Levy Form 1
12.	Appendices		
12.1	None.		
13.	Background Papers		
13.1	None.		