

Report to: Planning Applications Committee

Date: 26 February 2024

Application No: 230787

Location: Gate Court Dairy, Waterworks Road, Eastbourne, BN22 8LH

Proposal: Erection of 85 residential flats, together with access and parking, associated open space and landscaping and vehicular and pedestrian accesses.

Applicant: Waterworks Development Ltd

Ward: Devonshire

Recommendation:

1. Delegate to the Development Management Lead to:
 - a) Conclude consultation with the Local Highway Authority, the Environment Agency and the Council's Air Quality Specialist;
 - b) Receive and evaluate the independent review of the submitted Financial Viability Assessment from the Council's elected viability consultants; and
 - c) Make any necessary revisions, attach conditions or seek planning obligations resulting from the above processes, and upon conclusion of the above:
2. Grant planning permission with conditions, subject to S106 Agreement to secure:
 - a) Local Labour Agreement; and
 - b) Travel Plan and monitoring fee
 - c) Car Club contributions
 - d) Any further obligations following conclusion of the above consultations.

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Site Location Plan



1.	Executive Summary
1.1	This application is brought to the Planning Committee in line with the Scheme of Delegation as it proposes a major development.
1.2	The application seeks planning permission for the erection of 85no. residential flats, together with access, parking and landscaping.
1.3	The site is the former Gate Court Dairy, demolition of the industrial buildings has taken place, and the site has been cleared.
1.4	Redevelopment of the site would provide 85 residential flats split between three blocks. With the provision of 50 one-bedroom flats, 21 two-bedroom flats and 4 three-bedroom flats.
1.5	The principle of the change of use from Class B8 (Storage and Distribution) to Class C3 (Residential) has been established under a previous application for outline planning permission for residential development. Outline application 200742 was granted permission subject to S106 and planning conditions on 11 January 2022 for provision of 60no flats.
1.6	It is recommended that delegated authority be provided to planning officers to grant planning permission subject to S106 Agreement, planning conditions and subject to the satisfactory resolution on the financial viability assessment concerning affordable housing and the technical matters relating to the Flood Risk Assessment.

2.	Relevant Planning Policies
2.1	<u>National Planning Policy Framework</u> 2. Achieving sustainable development 3. Plan-Making 4. Decision making 5. Delivering a sufficient supply of homes 8. Promoting healthy and safe communities 9. Promoting sustainable transport 11. Making effective use of land 12. Achieving well-designed places.
2.2	<u>Eastbourne Core Strategy 2006-2027:</u> B1: Spatial Development Strategy and Distribution B2: Creating Sustainable Neighbourhoods C6: Roselands and Bridgemere Neighbourhood Policy

	<p>D1: Sustainable Development D5: Housing D8: Sustainable Travel D9: Natural Environment D10a: Design.</p>
2.3	<p><u>Saved policies of the Eastbourne Borough Plan 2001-2011:</u></p> <p>BI2: Designated Industrial Areas BI7: Design Criteria HO1: Residential Development within the Existing Built-up Area HO2: Predominantly Residential Areas HO7: Redevelopment HO11: Residential Densities HO20: Residential Amenity NE4: Sustainable Drainage Systems NE14: Source Protection Zone NE18: Noise NE28: Environmental Amenity TR1: Locations for Major Development Proposals TR2: Travel Demands TR6: Facilities for Cyclists TR11: Car Parking UHT1: Design of New Development UHT4: Visual Amenity UHT7: Landscaping US4: Flood Protection and Surface Water Disposal US5: Tidal Risk.</p>
2.4	<p><u>Supplementary Planning Documents and other relevant guidance</u></p> <p>Sustainable Building Design SPD Trees and Development SPG Sustainability in Development Local Employment and Training SPD Eastbourne Affordable Housing SPD EBC Sustainability in Development TAN EBC Biodiversity Net Gain TAN EBC Electric Vehicle Charging Points TAN.</p>

3.	Site Description
3.1	The application site is the former site of Gate Court Dairy, a former depot which consisted of large industrial units and warehouses, which have not been demolished and the site cleared.
3.2	The application site is located within a mixed-use area with both industrial and residential areas adjoining the site. To the North/North-West of the site is South-East Water Treatment Works, Technology Business Park and beyond this is Courtlands Industrial Estate. To the North-East, South-East, and South-West of the site are residential properties of Waterworks Road, Stansted Road and Abbots Close.
3.3	The application site is in a sustainable location a short distance from Eastbourne Town Centre, Eastbourne train station and local bus routes.
3.4	The site is not located within any designated conservation area and the site is not statutory listed, the nearest statutory listing is the Grade II listed Bedfordwell Pumping Station which is located to the west of the application site behind the properties on Abbots Close and over the railway line.
3.5	<u>Site Constraints</u> Predominantly Residential Area Source Protection Zone Flood Risk Zones 2 and 3.

4.	Proposed Development
4.1	Redevelopment of the site to provide 85no flats, comprised of 50 one-bedroom flats, 21 two-bedroom flats and 4 three-bedroom flats.
4.2	The proposal is for three detached buildings (V1, V2 and V3) set over two-storey and three-storeys with the layout of the buildings being located towards the north-west, south-west and north-east of the site creating a courtyard in the centre which will provide landscaped areas and car parking.
4.3	Vehicular access is proposed from Waterworks Road, with the current vehicular entrance stopped up. A pedestrian and cycle path would run along the south-west boundary on Abbots Close and then internally through the site connecting from Abbots Close to Waterworks Road.
4.4	The proposal includes the installation of green roofs to buildings V2 and V3 and two shared garden spaces as well as other pockets of planting, trees and grassed areas.
4.5	There will be provision for 48 car parking spaces (5% to be EV charging) and cycle storage for 54 cycles within the site.

5.	Relevant Planning History:
5.1	<p><u>200742:</u> Outline Planning Application (Access, Appearance, Layout and Scale) for the redevelopment of site to form 60no flats, consisting of 3no three-bed room flats, 29no two-bedroom flats an 28no one-bedroom flats. Outline (some reserved) Approved conditionally. 11/01/2022.</p>
6.	Consultations:
6.1	<p><u>ESCC Ecologist:</u> Provided the proposed mitigation, compensation and enhancement measures are implemented; the development can be supported from an ecological perspective. Natural England should be consulted with respect to potential impacts on statutory sites.</p>
6.2	<p><u>Contaminated Land Officer:</u> The applicant has submitted a Desk study report prepared by Geo environmental Services Ltd (Report ref: GE 21923-DSR-Oct_23 dated 17 Oct 2023). The report has highlighted the need for intrusive investigation at the site.</p> <p>If LPA is minded to grant planning permission, then I recommend this be subject to contaminated land conditions and informative.</p>
6.3	<p><u>Regeneration Officer:</u> A review of the application for planning permission for the above site identifies:</p> <p>A residential development consisting of eighty-five one, two and three bedroom residential flats, parking and open space.</p> <p>The above planning application qualifies for a local labour agreement as it meets the thresholds for a residential development as detailed on page 11 of the Employment and Training Supplementary Planning Document adopted November 2016.</p> <p>A previous planning application for the site for 65 residential flats was approved and a S106 with a local labour agreement was signed on 21 December 2021. It is recommended that the developer progresses the local labour process by completion of Appendix 3 from the Council's policy detailed above.</p> <p>In light of the above, Regeneration has no objection to the planning application providing it be subject to a S106 local labour agreement.</p>
6.4	<p><u>Sussex Police Designing Out Crime:</u> Sussex Police would have no objection to the proposed application as submitted from a crime prevention perspective subject to my above observations, concerns and recommendations have been given due consideration.</p>

6.5	<u>ESCC Archaeology:</u> Although this application is situated within an Archaeological Notification Area, based on the information supplied, I do not believe that any significant archaeological remains are likely to be affected by these proposals. For this reason, I have no further recommendations to make in this instance.
6.6	<u>SUDS:</u> Whilst the application documentation has not met all the County Council's and the Board's requirements, it is possible that the risk is capable of being mitigated to acceptable levels by the application of planning conditions.
6.7	<u>Southern Water:</u> No Objection.
6.8	<u>East Sussex Highways:</u> Consultation outstanding at time of writing.
6.9	<u>Air Quality Specialist Advisor:</u> Officers are currently liaising with the Council's Air Quality Specialist Advisor, who is seeking clarification on matters within the submitted information.

7.	Other Representations:
7.1	<u>Notification:</u> Notification of this application has been undertaken in the form of: <ul style="list-style-type: none"> a. neighbour notification letters b. site notices displayed in roads neighbouring the site and c. a press advert in a locally distributed newspaper.
7.2	<u>Neighbour Representations:</u> Three letters of objection have been received, which raise the following concerns based upon material planning grounds: <ul style="list-style-type: none"> • Nuisance from construction works • Loss of light • Overlooking • Air Pollution • Noise Nuisance • Flood risk.
7.3	<u>Other Representations:</u> One comment in support of the application.

	One comment of general observation for the provision of a bus service along Waterworks Road and provision of a new bus shelter/bus stop.
8.	Appraisal:
8.1	<p><u>Principle:</u> The National Planning Policy Framework (NPPF) requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of October 2023, Eastbourne is only able to demonstrate a 1.4 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals. It also states that where relevant policies are out-of-date, permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole", (NPPF, paragraph 11). This approach, commonly referred to as applying a 'tilted balance' will be adopted in assessing the planning application.</p> <p>The application site is on the Borough's Brownfield register, when considering effective use of land the Para 124 of the NPPF states planning policies and decisions should give substantial weight to the value of using brownfield land within settlements for homes and other identified needs and to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing land is constrained and available sites could be used more effectively.</p> <p>The site is within the Roselands and Bridgemere Neighbourhood and policy C6 of the Core Strategy Plan sets out the vision of the area, which includes <i>'support economic activity in the town and contribute to the delivery of housing, whilst increasing its sustainability through providing connections to other parts of town and addressing deficiencies in the provision of open spaces and allotments for the wider area'</i>.</p> <p>In addition, Policy B1 in the Spatial Development Strategy states that higher residential densities will be supported in these neighbourhoods. This site would be considered a brownfield site and the strategy states that <i>'in accordance with principles for sustainable development, it will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land'</i>.</p> <p>Taking account of the above policy position, the proposed residential use of the site is considered to be wholly in line with the objectives of the Development Plan for the neighbourhood and is considered to be acceptable in principle.</p>
	<p><u>Land use:</u> The application site falls within the designated industrial area of Courtlands Road Industrial estate, of which the site forms the southern end of the industrial estate with no links internally to the main industrial estate. Saved policy B11 of the Borough Plan states that planning approval for the conversion or redevelopment of land or buildings currently or last in Class B1, B2 or B8 use for non-employment use will not be granted unless it can</p>

be satisfactorily demonstrated that certain criteria have been met, including, a) that the premises is genuinely redundant and is unlikely to be re-used or re-developed for industrial or commercial use within the plan period, b) continued use of the premises would cause undue disturbance to residential neighbours, or c) access to the premises does not meet acceptable highway safety standards and cannot be reasonably improved.

The Employment Land Local Plan 2016 is also a material consideration, paragraph 4.13 states that it is important that industrial estates can accommodate Class B uses that are incompatible with other uses and the loss of key sites within industrial estates to non-B uses will comprise the ability to meet the employment land requirement. Loss of B class uses on key sites within industrial estates will be resisted in order to help protect the integrity of the industrial estates.

The loss of employment spaced needs to be weighed against the benefits of additional housing for the Borough and the principle of the change of use from storage/distribution (Class B8) to residential (Class C3) was established under the outline planning application (200742) granted conditional approval in January 2022. The proposal weighs heavily in favour of the delivery of housing.

The principle of change of use of the land has been established by application 200742 where outline planning permission was granted for the erection of 60 residential units.

The application does not propose to provide any affordable housing contribution based on the viability of the site. At the time of writing this report the viability assessment is still under independent review.

Housing Mix

The development as proposed would result in a net gain of 85 residential units. Policy D5 of the Borough Plan requires residential development to contribute to affordable housing where there is a resultant net gain of 1 or more residential units, 30% affordable housing will be sought on all sites within neighbourhoods in Low Value Areas, of which this site is located.

The Eastbourne Strategic Housing Market Assessment 2016 indicates the three key dwelling types particularly required across Eastbourne, 3 bed houses, and 1 and 2 bed flats. The development proposes predominantly 1 and 2 bed flats with a small number of 3 bed flats. The proposed dwellings would generally meet the needs within the Borough. The density of the development responds to the principle of increased efficiency in the use of land and is not out of character with other developments in the Borough.

The proposed development would comprise a mix of one, two and three bedroom flats across three blocks. The drawings submitted label the plans as V1, V2 and V3.

Whilst it would have been preferred to have a mix of houses as well as flats within the mix of residential units the proposed mix is considered to be appropriate.

8.2

Design, Character and Impact Upon Landscape:

Building V1 will be comprised of a three-storey building, building V2 will be comprised of a part three-storey, part four-storey building (three-storey

	<p>element will face Waterworks Road) and V3 will be comprised of a three-storey building.</p> <p>The proposed buildings would possess a contemporary visual appearance but would generally be sympathetic to the traditional form of neighbouring buildings, being two storey buildings with pitched and mansard roofs. This design approach is considered to be acceptable and would deliver a high-quality development that is sympathetic to the surrounding built form.</p> <p>The material palette across all three buildings will be comprised of red and grey facing brickwork, standing seam metal roof, standing Seam metal porch, vertical metal railings, grey aluminium windows, aluminium rainwater pipes, vertical louvre wall, green glazed brick, rusticated brickwork detailing and slatted timber canopies.</p> <p>The materials would integrate well within the street scene and would harmonise with the buildings surrounding. The proposal would be a significant improvement to the commercial industrial buildings that had previously been onsite.</p>
8.3	<p><u>Impact Upon Heritage Assets:</u></p> <p>The Grade II listed Bedfordwell Pumping Station is located to the West of the application site, the proposed development is not thought to have an impact on the setting of the heritage asset. The proposal is for a maximum of four storeys and would not dominate the skyline or any views to or from the listed building.</p>
8.4	<p><u>Transport and Parking:</u></p> <p>Vehicular access is proposed from Waterworks Road, with the current vehicular entrance stopped up. A pedestrian and cycle path would run along the south-west boundary on Abbots Close and then internally through the site connecting from Abbots Close to Waterworks Road. The submitted Transport Statement concludes that the proposed residential use of the site would result in a similar level in the traffic activity when compared to the existing storage and distribution use, both in respect of trip generation and the types of vehicles using the site.</p> <p>The proposed development would be served by a centrally located car park providing a total of 48 parking spaces (including 5 EV Charging and 5 Disabled). ESCC Highways Parking Demand Calculator advises the required number of spaces for a development of this size is 56 spaces which leaves a shortfall of 8 spaces.</p> <p>To mitigate the shortfall the travel plan recommends the provision of a car club bay, which will be located on Waterworks Road with funding provided for car club membership for the initial residents of the development. This proposed sustainable transport incentive would offer an alternative to private car ownership for both new and existing residents alike and would offset the small shortfall in parking provision available within the site.</p> <p>The travel plan also advises each household will be provided with a 'Eastbourne 28-day MegaRider' Ticket to promote the use of public transport. These obligations will be secured by legal agreement.</p>

	<p>The application site is sustainably located, and it is expected that residents would be able to undertake journeys on foot or by cycle. The site also has good links with local bus routes.</p> <p>Secure and covered cycle storage will be provided for 54 cycles, this exceeds the minimum guidance as set out by East Sussex Highways.</p>
8.5	<p><u>Residential Amenity of future occupiers:</u></p> <p>The proposal would create 50 one-bedroom flats (6 studio flats), 21 two-bedroom flats and 4 three-bedroom flats.</p> <p>The 'Technical housing standards - nationally described space standards', adopted by central Government in March 2015 defines the requirements for internal space standard for new residential units, including both the Gross Internal Area (GIA) of each unit and the internal floor area of individual rooms and storage space.</p> <p>All proposed flats meet the respective floor space standards required by the nationally described space standards.</p> <p>The proposed units would comprise a good level of outlook for future occupants, with adequate daylight levels within habitable rooms. As such, the scheme is considered to be acceptable in respect of these elements, in accordance with Policy HO20 Residential Amenity.</p> <p>It is proposed for all flats to have access to private amenity space either in the form of a terrace or balcony area. In addition to this it is proposed to provide two areas of shared garden space for occupiers of the site. The site is also located close to Seaside Recreation Park which can be accessed via Whitley Road, which will provide additional recreational space for residents' enjoyment.</p> <p>Taking the above considerations into account, the proposal is considered to offer a good standard of accommodation for future occupants of the units and would meet the objectives of adopted policy.</p>
8.6	<p><u>Residential Amenity of neighbouring occupiers:</u></p> <p>The application site is bordered by the residential occupier of Waterworks Road, Stansted Road and Abbots Close. The layout of the proposed residential development has been designed to ensure any impact on the amenity of the surrounding occupiers is limited.</p> <p>It is not considered that the proposed development would result in any unacceptable loss of light to cause issues of overshadowing to the residential neighbours surrounding the site. The proposal would provide a better relationship with neighbouring properties than the previous building on site, both in terms of the noise generating use and the relationship of the built form.</p> <p>The proposed buildings would result in a new outlook towards neighbouring occupiers, but the separation distances and orientation of buildings would prevent any loss of privacy for existing occupants. The site frontages onto Waterworks Road and Abbots Close would provide a public facing relationship with neighbouring properties, commensurate with the existing relationship of properties in the area.</p> <p>The proposal includes the provision of outdoor space and balconies providing private outdoor amenity space for future occupiers. To limit views</p>

	and impacts to privacy to occupiers on Abbotts Close trees will be used as screening.
8.7	<p><u>Flooding and Drainage:</u> At the time of writing the report there is an objection raised by the Environment Agency (EA) and liaison with the EA and applicant on the matters raised is ongoing.</p> <p>SUDS have reviewed the proposal and have raised no objection to the proposal subject to a detailed SUDS scheme being provided via planning condition.</p>
8.8	<p><u>Ecology and Biodiversity:</u> The application site has been cleared of all buildings, apart from a substation located within the site.</p> <p>Whilst the site has been cleared there are some plants on site, following consultation with the County Ecologist it is felt that the details in the Preliminary Ecological Appraisal will help mitigate the impact of the development.</p> <p>Green roofs are proposed to building V2 and V3 and hedges are proposed along some of the site boundaries, together with 2 shared garden areas within the site, including a pond, as well as small pockets of planting, trees and grass through the site to enhance the biodiversity within the site and offer green space to residents.</p>
8.9	<p><u>Planning Obligations:</u> S106 Agreement for a Local Labour Agreement and sustainable transport measures.</p>
8.10	<p><u>Human Rights Implications:</u> 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>
8.11	<p><u>Conclusions:</u> The proposed development has been designed to a high standard and will provide a good level of accommodation for future occupiers. There will be no detrimental impacts to the occupiers that surround the site, and the development will improve the visual amenity of the area.</p> <p>The proposal is in accordance with national and local planning policies.</p>
9.	Recommendations:
9.1	<p>Delegated Authority be provided to planning officers to approve the application subject to a S106 and Planning Conditions. Subject to:</p> <p>a) Concluded consultation with the Local Highway Authority, the Environment Agency and the Council's Air Quality Specialist;</p>

	<p>b) Receive and evaluate the independent review of the submitted Financial Viability Assessment from the Council's elected viability consultants; and</p> <p>c) Make any necessary revisions, attach conditions or seek planning obligations resulting from the above processes.</p>
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10.	Conditions:
10.1	<p>TIMEFRAME: The development hereby permitted shall be begun before the expiration of three years from the date of permission.</p> <p>Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
10.2	<p>DRAWINGS: The development hereby permitted shall be carried out in accordance with the approved drawings and documents:</p> <ul style="list-style-type: none"> - Drawing: 7295PL01-P2 – Site Location Plan - Drawing: 7295-PL03 – Site Block Plan - Drawing: 7295-PL04-P5 – Proposed Ground Floor Plan - Drawing: 7295-PL05-P5 – Proposed First Floor Plan - Drawing: 7295-PL06-P5 – Proposed Second Floor Plan - Drawing: 7295-PL07-P5 – Proposed Third Floor Plan - Drawing: 7295-PL08-P4 – Proposed Roof Plan - Drawing: 7295-PL10-P5 – Volume 1 Elevations - Drawing: 7295-PL11-P5 – Volume 2 Elevations – Sheet 1 - Drawing: 7295-PL12-P5 – Volume 2 Elevations – Sheet 2 - Drawing: 7295-PL13-P5 – Volume 3 Elevations - Drawing: 7295-PL14-P3 – Proposed Street Scenes - Drawing: 7295-PL15-P3 – GA Sections – AA and BB - Drawing: 7295-PL16-P3 – Bay Elevations Sheet 1 - Drawing: 7295-PL17-P3 – Bay Elevations Sheet 2 - Drawing: 7295-PL18-P3 – Bay Elevations Sheet 3 - Drawing: 7295-PL19-P2 – ASHP Enclosure Plans and Elevations - Drawing: 7295-PL20-P2 – Bay Elevation Entrance - Drawing: 7295-PL30-P1 – 3D Visualisation – Waterworks Road - Drawing: 7295-PL31-P2 – 3D Visualisation – Internal Courtyard <p>Reason: For the avoidance of doubt and ensure that development is carried out in accordance with the plans to which the permission relates.</p>
10.3	<p>EXTERNAL MATERIALS: The external surfaces of the development, hereby approved, shall be finished in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the development has a satisfactory appearance.</p>
10.4	<p>ECOLOGY: All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological</p>

	<p>Appraisal (CSA Environmental, 20/10/2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.</p> <p>Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, and to provide a net gain for biodiversity as required by paragraphs 180 and 186 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006, Policy D9 of Eastbourne Core Strategy Local Plan (2013).</p>
10.5	<p>ECOLOGY: No development shall take place (including any demolition, ground works, site clearance) until a method statement for the protection of reptiles, amphibians and hedgehogs has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:</p> <ul style="list-style-type: none"> a) purpose and objectives for the proposed works; b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used); c) extent and location of proposed works shown on appropriate scale maps and plans; d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction; e) persons responsible for implementing the works; f) initial aftercare and long-term maintenance (where relevant); <p>The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.</p> <p>Reason: To protect species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended.</p>
10.6	<p>ECOLOGY: No development shall take place until an Ecological Design, Management and Monitoring Strategy (EDMMS) for the provision of a minimum 10% biodiversity net gain within a 30 year period, to include the measures identified in the Preliminary Ecological Appraisal (CSA Environmental, 20/10/23) and the Biodiversity Net Gain Design Stage Report (CSA Environmental, 10/11/23) and other site-specific biodiversity features, to include 85 swift nesting cavities, has been submitted to and approved in writing by the local planning authority. The EDMMS shall include the following parts:</p> <ul style="list-style-type: none"> a) Description and evaluation of habitat/features proposed (to include full Metric and details of condition assessments). b) Identification of adequate baseline conditions (for management and monitoring purposes) prior to the start of works (to include full Metric and details of condition assessments). c) Aims and objectives for the proposed works.

	<p>d) Site specific and wider ecological trends and constraints that might influence works.</p> <p>e) Details of the body/organisation/person/s responsible for undertaking the works and lines of communication.</p> <p>f) Details of the legal and funding mechanism(s) by which the implementation of the EDMMP will be secured by the developer with those responsible for its delivery.</p> <p>g) Detailed design(s) and/or working method(s) to achieve stated objectives including type/source of materials, disposal of any wastes arising from works and appropriate scale plans showing location/area of proposed works.</p> <p>h) Works Schedule, written for both on- and off-site areas (where present), aligned with any proposed phasing and including an annual work plan capable of being rolled forward over a five-year period.</p> <p>i) Prescriptions for initial aftercare and long-term management that will ensure the aims/objectives are met.</p> <p>j) Details for on-going monitoring of BNG habitats in years 2, 5, 10, 15, 20, 25 and 30, and any other biodiversity features (where present), including:</p> <ul style="list-style-type: none"> - Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the work can be measured - Methods for data gathering and analysis. - Location, timing and duration of monitoring - Review, and where appropriate, publication of results and outcomes, including when monitoring reports will be submitted to the local planning authority. - How contingencies and/or remedial action will be identified, agreed with the local planning authority and implemented so that the original aims/objectives of the approved scheme are met. <p>The EDMMS shall be implemented in accordance with the approved details and all habitats/features shall be retained in that manner thereafter.</p> <p>Reason: To provide a minimum 10% Biodiversity Net Gain in line with national and local planning policy and EBC's Technical Advice Note on Biodiversity Net Gain (2021), and to ensure maintenance of significant on-site BNG for at least 30 years.</p>
10.7	<p>CONTAMINATION: No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing by the local planning authority:</p> <p>(a) Additional site investigation scheme, based on preliminary investigations already undertaken to provide information for a</p>

	<p>detailed assessment of the risk to all receptors that may be affected, including those off site;</p> <p>(b) The results of the site investigation and the detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;</p> <p>(c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, para 170, 174, 178 and 179].</p>
10.8	<p>CONTAMINATION: No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall include any plan (a 'long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, para 170, 174, 178 and 179].</p>
10.9	<p>CONTAMINATION: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.</p> <p>Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that</p>

	<p>the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, para 170, 174, 178 and 179].</p>
10.10	<p>SUDS: Prior to the commencement of development, a detailed surface water drainage system shall be submitted in support to and approved in writing by the Local Planning Authority. The surface water drainage system shall incorporate the following:</p> <p>a. Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to a maximum of 10 l/s for all rainfall events including those with a 1 in 100 (plus climate change) annual probability of occurrence. An allowance for urban creep (recommended 10% increase in impermeable area) shall be incorporated within the calculations.</p> <p>b. Written evidence that Southern Water has agreed to the proposed discharge rate into the public sewer.</p> <p>c. The details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system shall be provided.</p> <p>d. Details of the measures proposed to manage exceedance flows shall be submitted to the Local Planning Authority.</p> <p>Reason: To ensure surface water runoff from the development is managed safely</p>
10.11	<p>SUDS: A maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following: This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.</p> <p>Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.</p> <p>These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.</p> <p>Reason: To ensure surface water runoff from the development is managed safely.</p>
10.12	<p>SUDS: Details of measures to manage flood risk, both on and off the site, during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.</p>

	Reason: To ensure surface water runoff from the development is managed safely.
10.13	<p>SUDS: Prior to occupation of the development, evidence (including as built drawings and photographs) shall be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.</p> <p>Reason: To ensure surface water runoff from the development is managed safely.</p>
10.14	<p>CEMP: Prior to commencement of development, including any ground works, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to in full throughout the entire construction period. The CEMP shall provide details as appropriate, including but not limited to the following matters:</p> <ul style="list-style-type: none"> • site plan; • sequence and schedule of demolition phases; • demolition methodology; • piling methodology; • anticipated number, frequency and types of vehicles used during construction; • method of access and egress and routing of vehicles during construction; • parking (on-site and off-site) of vehicles by site operatives and visitors; • loading/unloading/storage of plant, materials and waste (including loading/unloading areas); • times of any deliveries related to the development, which should seek to avoid peak travel times; • photographic survey of the condition of the surrounding highway; • site compounds and location/erection/maintenance of any security hoarding; • provision and operation of wheel washing facilities, or any other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); • measures to manage the impact upon local air quality (including dust suppression); • noise and vibration mitigation • confirmation of no burning of materials on site; • operating hours; • anticipated timescales for construction; • measures to manage flood risk during construction; • details of public notification / neighbour notification, including site notices with public contact details during the works; and • details of liaison with other site managers in the vicinity (if applicable).

	<p>Reason: In the interests of highway safety and the amenities of the area.</p>
10.15	<p>PILING: Piling and using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: This development is in a location where groundwater is very sensitive and needs to be protected. Groundwater is also very shallow, and this should be considered in the piling risk assessment to ensure that the proposed development does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.</p>
10.16	<p>LANDSCAPING: Prior to the completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.</p> <p>Details shall include:</p> <ul style="list-style-type: none"> a) a scaled plan showing all hard and soft landscaping, including vegetation to be retained and planting of trees and plants; b) details of all hard surfaces; c) all boundary treatments; d) a schedule detailing sizes, species and numbers of all proposed trees/plants; e) sufficient specification to ensure successful establishment and survival of new planting. <p>Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.</p> <p>Reason: To safeguard and enhance the character and amenity of the area.</p>
10.17	<p>CYCLE PARKING: The cycle parking facilities shall be provided in accordance with the approved plans prior to first occupation of the development, hereby approved, and retained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicle.</p>
10.18	<p>REFUSE AND RECYCLING: The refuse and recycling facilities shall be provided in accordance with the approved plans prior to first occupation of</p>

	<p>the development, hereby approved, and retained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that satisfactory facilities for refuse and recycling are provided.</p>
10.19	<p>EXISTING ACCESS: The development, hereby approved, shall not be occupied until the existing access onto Waterworks Road has been stopped up and the kerb and footpath reinstated in accordance with details submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority.</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>INFORMATIVE: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use of being built. Planning consent for a development does not provide a defence against prosecution under this Act.</p>
10.21	<p>INFORMATIVE: All waste material arising from any site clearance, demolition, preparation and construction activities at the site should be stored, removed from the site and disposed of in an appropriate manner following current guidance and practices.</p>
10.22	<p>INFORMATIVE: The application site is party within and drains surface water runoff to the Pevensy and Cuckmere Water Level Management Board drainage district. Therefore, the applicant should formally agree surface water discharge rates into the IDD with the Board. This should be done at the time of seeking to discharge drainage conditions.</p>
10.23	<p>INFORMATIVE: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.</p>

11.	Appendices
11.1	None.

12.	Background Papers
12.1	None.