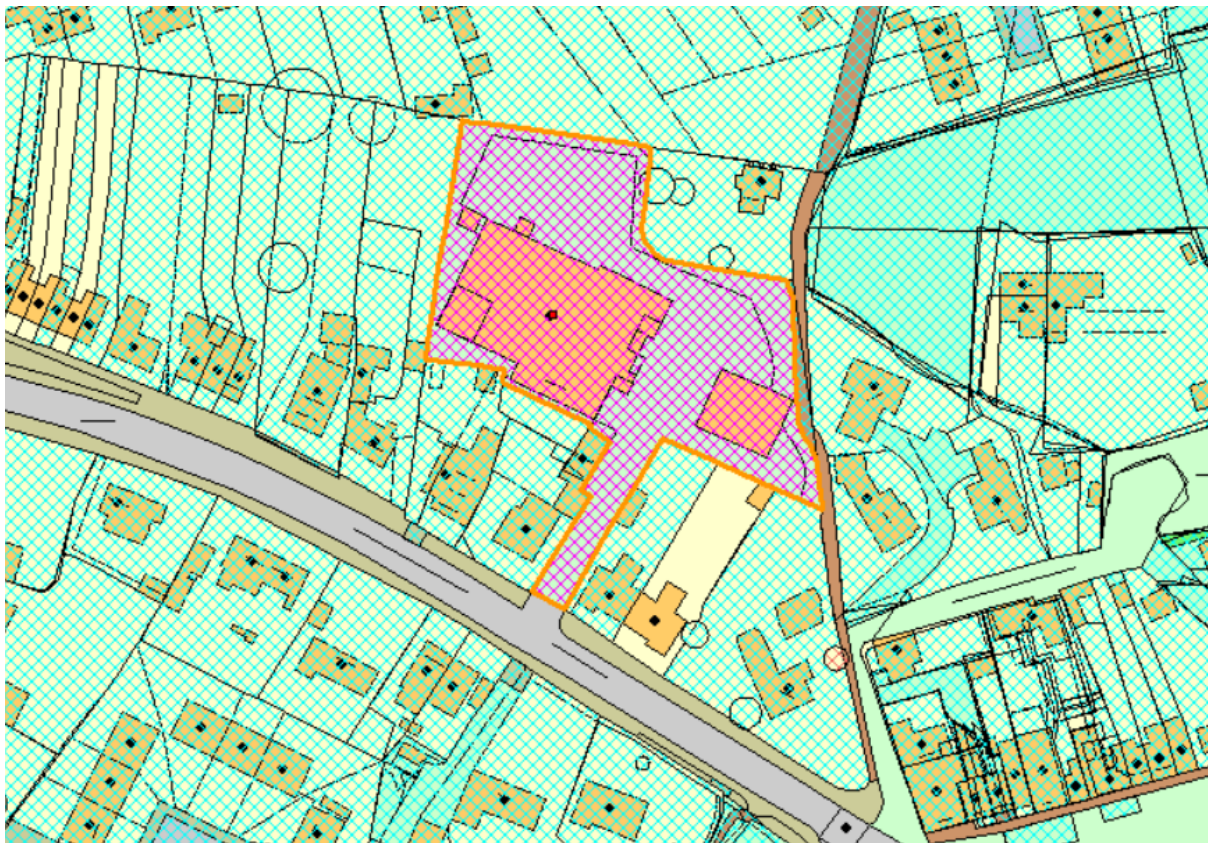


Report to: Planning Applications Committee
Date: 9 October 2024
Application No: LW/23/0606
Location: 16 - 18 High Street, Newick, BN8 4LQ
Proposal: Conversion of existing commercial building to provide 8 flats and erection of 11 new build residential dwellings with associated secure cycle storage provision, vehicle parking, bin storage and landscaping, demolition of existing buildings.

Applicant: Mr S French
Ward: Newick
Recommendation: The application is recommended for approval subject to conditions listed in this report.
Contact Officer: **Name:** James Emery
E-mail: james.emery@lewes-eastbourne.gov.uk

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



1 Executive Summary and Relevant Planning Policies

1.1 Reason for the Referral to Committee

This application garnered significant public engagement, with 59 objection comments.

1.2 Summary and Recommendation

The application site is a brownfield site comprising a former commercial buildings and hardstanding.

It is located within the village of Newick and is sited wholly within the Planning Boundary.

The proposed development would see residential conversion and development of the site to provide a total of 11 dwellings and 8 residential flats.

It is recommended that Planning Permission is granted, subject to conditions.

1.3 National Planning Policy Framework

2. Achieving sustainable development

4. Decision making

11. Making effective use of land

12. Achieving well-designed places

14. Meeting the challenge of climate change, flooding, and coastal change

15. Conserving and enhancing the natural environment.

1.4 Lewes Local Plan Part 1 (LLP1)

CP4 - Economic Development & Regeneration

CP11 – Built and Historic Environment & Design

CP12 – Flood Risk, Coastal Erosion and Drainage

CP14 – Renewable and Low Carbon Energy.

1.5 Lewes Local Plan Part 2 (LLP2)

DM20 – Pollution Management

DM23 – Noise

DM24 – Protection of Biodiversity and Geodiversity

DM25 – Design

1.6 Newick Neighbourhood Plan (NNP)

EN1 Design & Conservation

EN2 Green Corridors

EN4 Cycling Facilities

HO1.1 Housing Design

HO1.2 Sussex Clay

HO1.5 Off Road Parking

HO1.7 SANGS and SAAMS

2. Site Description

- 2.1 The application site is a brownfield site comprising a commercial building which has been vacant since early 2023.

It is located in the centre of the village of Newick and is wholly within the established planning development boundary.

The site is located on the northern side of the A272 (High Street) and is accessed via an existing driveway between no's 14 and 18 The High Street. The site lies within the Newick 'The Green' Conservation Area.

The proposed development seeks permission for a residential conversion and extension of the existing building to provide a total of 11 dwellings and 8 residential flats.

- 2.2 Being a brownfield site, the topography of the site is flat and formed hardstanding and existing buildings.

3. Proposed Development

- 3.1 The application seeks permission for conversion of the existing commercial building to provide 8 flats and erection of 11 new build residential dwellings with associated secure cycle storage provision, vehicle parking, bin storage and landscaping, demolition of existing buildings

The proposed development would largely maintain the existing appearance and access of the site, with the existing commercial buildings being converted into 8 flats, erection of x7 mews houses and an existing building replaced by x4 new build flats.

The works can be broken down into three main elements, the flat conversion, mews houses and new build flats.

Flat Conversion

The former joinery building would be vertically extended and converted to accommodate additional flats. The extension would see the height of the dwelling increased by approx. 1.65m, with a traditional hipped roof atop.

The flats would comprise 5x one bed units and 3x two bed units. The units are arranged with x2 on the ground floor and three each on the first and second floors.

Construction materials would comprise a slate roof, reclaimed brown and red Sussex bonded brick, reclaimed eaves bricks and timber fascias and soffits in a blue/grey colour to match the existing building.

Mews Houses

The mews houses would be erected to the west of the site. These would have a traditional hipped roof appearance and be arranged along a spur road with a turning head. Each of the terraced properties would feature allocated undercroft parking. The properties would have two bedrooms, a study, bathroom, lounge and dining rooms.

Construction materials would comprise a slate roof, reclaimed brown and red Sussex bonded brick, zinc-clad dormer windows, reclaimed eaves bricks, timber garage doors and timber fascias and soffits in a blue/grey colour to match the existing building.

New build flats

An existing building to the east of the site will be demolished and replaced by a two-storey apartment building housing x4 flats. The building would have a traditional gable

end roof form, oriented west (front) to east (rear). The flats would be arranged two per floor.

Construction materials would comprise a slate roof, reclaimed brown and red Sussex bonded brick, zinc-clad dormer windows, reclaimed eaves bricks, balconies with metal balustrades and timber fascias and soffits in a blue/grey colour to match the existing buildings.

4. Relevant Planning History:

4.1 LW/06/0628 - Section 73A Retrospective application for the retention of spray shop extraction flue and an increase in its height to 3m, together with provision of new fan and addition of silencers – Approved 13/07/2006

LW/04/0532 - Extension of joinery workshop to two storey premises, to include staffroom/canteen, wc's and open plan offices. Extension to sawdust filtration and new cladding to woodstore – Approved 22/06/2004

LW/88/0063 - Alterations and extensions to joinery works. – Approved 06/09/1988

LW/83/0178 Change of Use to joinery works, builders yard and storage or any Class III (light industrial) use. – Approved 17/06/1983

E/59/0957 - Planning and Building Regulations Applications for proposed liquid egg storage room at the Egg Packing Station – Approved 25/01/1960

5. Consultations

5.1 Newick Parish Council

Newick Parish Council did not support or object to the proposed development, however they made several comments regarding the application. Summarised below: -

- Requirement for clarity regarding the materials proposed for use to ensure compliance with HO1.2 of the Newick Neighbourhood Plan (NNP).
- Newick has a higher-than-average proportion of an ageing population, many of whom are seeking to downsize whilst remaining in the village, availability of these types of dwellings is severely limited.
- No provision of affordable homes.
- The access and floor plans are not sympathetic to those of limited mobility or for those with infants or young children.
- There will be a significant increase in vehicle movements.
- NPC would not wish to see additional on-street parking in a village already limited for parking space. We would suggest a restricted covenant to the conversion of garages to alternative use should be a condition.
- The emphasis on cycling is unrealistic. Bikes are of limited use as the A272 runs through the centre of the village making cycling difficult.
- The site is as sustainable as any site could be in the village, but Newick is a car dependent village with limited public transport. However its location does permit easy walking or the use of a mobility scooter to all amenities. The provision of a lock up and electric charging point for a mobility scooter would be more applicable if the bike stores could accommodate this.
- NPC recognise that this is a site suitable for regeneration, however due to the issues raised above we do not feel it appropriate to either support or recommend refusal of this application in its present form.

Sussex Police

Offered no objection to the proposed development as submitted from a crime prevention perspective.

Southern Water

No objection - directed officers to their standing advice.

East Sussex County Council - Sustainable Drainage

No objection - The information provided is satisfactory and enables the LLFA to determine that the proposed development is capable of managing flood risk effectively. Although there will be a need for standard conditions which are outlined in this response.

East Sussex County Council - Archaeology

Recommend for approval in principle subject to the imposition of conditions.

East Sussex County Council – Highways

No objection subject to the imposition of conditions.

LDC Contaminated Land

Offered no objection, subject to imposition of the conditions and an informative attached to any approval.

LDC Community Infrastructure Levy Team

Commented that this application is CIL liable.

LDC Waste Services

Offered no comment on the proposed development.

LDC Tree and Landscape Officer

Offered no comment on the proposed development.

LDC Design and Conservation Officer

Offered no comment on the proposed development.

The Environment Agency

Offered no objection, subject to Conditions attached to any recommendation of approval.

NatureSpace

No objection subject to an informative.

The Forestry Commission

Offered no Objection to the proposed development.

6. Other Representations

6.1 We consulted with 44 addresses.

In response to these consultations 61 comments were received - 3 Support, 2 Neutral and 56 Objections.

Issues raised by the objectors are summarised as follows:

Building in the Countryside
Drainage Impacts
Conservation Impacts
Out of Character
Overdevelopment
Highway Hazards
Noise and Disturbance
Loss of Light
Inadequate Access
Overbearing Structure
Impact to Neighbouring Properties

Parking Issues
Overshadowing
Disturbance during Works
Highway Hazards
Loss of Privacy
Loss of Open Space

7. Appraisal

7.1 Key Considerations

Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The NPPF also advises that there is a presumption in favour of sustainable development.

The main considerations relate to: -

- the principle of the development.
- the design and character of the development,
- neighbour amenities,
- impacts upon highway/pedestrian safety.

7.2 Principle of Development

Core Policy 2 of the Lewes District Joint Core Strategy sets out a strategic aim that the Council should maximise opportunities for re-using suitable previously developed land and to plan for new development in the highly sustainable locations without adversely affecting the character of the area.

The proposed development would represent an opportunity to make efficient use of a brownfield site, subject to assessment of its impact on the character of the area. The proposed density of 57.57 dwellings per hectare is considered to accord with the requirements of Para. 123 of the NPPF. Officers consider that the site is capable of supporting the proposed density, as per Core Policy 2 of the Lewes District Local Plan Part 1, which outlines that densities higher than 30dph may be justified in villages, dependant upon the specific character and context of a site.

In response to comments regarding the loss of the commercial space Officers recognise that Core Policy 4 seeks to resist the loss of employment floorspace, however - it is noted that Para. 124 (c) of the NPPF outlines that we should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. It is considered that the delivery of housing on this sustainable site outweighs the harm caused by loss of employment land. There is no shortfall of employment land in the district; and so existing businesses should not struggle to relocate. Officers recognise that the context of this particular employment site (being located behind dwellings) is not ideal in terms of neighbour amenity and consolidation as housing would represent a suitable alternative use of the site.

It is noted that the proposed development would not make provision for Affordable Housing. Officers note that Local Plan Policies allow for a zero provision where a Financial Viability Assessment demonstrates that there would be viability issues

(and where it has been independently assessed). This application is supported by an FVA, which has been independently assessed.

The independent assessment of the applicants FVA concluded that with a residual site value of £990,352, which is below the Benchmark Land Value without any allowance for affordable housing or S.106 contributions. This suggests that the scheme is unviable and cannot not support additional affordable housing or S.106 contributions.

In view of the above and given that the site is sustainably located within the Planning Boundary – there is no objection *in principle* to the delivery of additional dwellings, subject to compliance with other relevant Development Plan policies.

7.3

Design and Character

Comments from representors and the Parish Council regarding overdevelopment, excessive height and the development being out of character are noted. Regarding Overdevelopment - Core Policy 2 of the LDLP Pt 1 outlines that development should achieve 20 to 30 dwellings per hectare for the villages – with higher density permitted given in site-specific contexts. In this proposal the density equates to 57dph, which is over the density target, however given the location of the development within the core of the village, this is considered to accord with the development plan.

Being that the development is to the rear of No.18 High Street and accessed via a drive the high street it is considered that the proposal will have a limited impact on the character of the area and the Conservation Area due to the recessive nature of the site.

The replacement apartment building to the east of the site will occupy the footprint of an existing structure and will have an improved appearance compared to the structure it replaces.

The extension to the existing joinery building will have a roof height which is similar to that of number 18 High Street in front of it, and so this increased height will be effectively shielded from viewpoints on the High Street. It would therefore not unacceptably harm the character surrounding area.

Likewise, the proposed Mews Houses are located to the rear of Nos.18 - 24 High Street, and so the general views up and down the High Street will be preserved, in accordance with Policies DM25 and DM33 of the Lewes District Local Plan Part 2.

Subservience of the development is delivered by the restriction of the height of the buildings and an appropriate set-back from the wider public domain, allowing it to be seen only in glimpses from the access road, in accordance with the principles of high-quality design contained within Policy DM25 and DM33 of the LDLP Plan Part 2.

The development would provide acceptable vehicle parking, cycle parking and bin storage.

In terms of materials, the proposal seeks to incorporate traditional brick, natural slate roofing, timber windows, doors and fascias. The Mews properties and flats will benefit from zinc clad dormer windows. The proposed materials would in their colour and finish reflect many of the materials found in the surrounding area, albeit with the added interest of a number of contrasting, contemporary zinc clad dormer windows. These will not be generally visible from outside the site.

Core Policy 2 of LDLP Part 1 outlines that “the need for smaller units (1 and 2 bed) is a repeated theme in the supporting evidence. In light of this and given the

relative lack of smaller units in the surrounding area the mix of properties is considered appropriate..

All of the proposed units comply with the Nationally Described Space Standards and would be afforded acceptable access to ventilation and natural light. The units are in walking distance of the countryside for recreation and leisure.

It is considered that the design and landscaping of the proposed development is in accordance with Policy DM25 of the LDLP Part 2 and Core Policy 11 of the LDLP Part 1.

Para. 134 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Para. 126 of the National Design Guide (2019) states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight, and ventilation.'

The Technical housing standards – nationally described space standard (2015) defines minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the number of bedrooms provided and level of occupancy. Floor plan drawings and measurements provided confirm that all units would have a GIA exceeding the minimum set out in the space standards.

7.4

Impact upon Neighbour Amenities

In terms of overshadowing / overbearing, the proposed development is sited to the north of properties on the High Street, and as such would not impact these properties in terms of overshadowing.

There are residential properties located to the north of the development on Cricketfield, (closest to the Mews Houses) however these are located a minimum of 17.0m from the development with a strong line of trees (G2 in the tree survey) to be maintained as a hedge.

No aspects of the development would breach the 60-degree rule with regard to overshadowing of neighbouring properties. It is not considered that any of the new windows in the proposed development would introduce a situation of unacceptable overlooking of neighbouring properties, in accordance with Policy DM25 of the LDLP Part 2.

The access road has been raised as a concern by objectors. Officers consider that the proposed use would have similar amount of road traffic to the existing use, albeit with smaller vehicles associated with the new residential use, and so no unacceptable disturbance should be introduced.

The site would provide acceptable vehicle parking, cycle parking and bin storage in accordance with Policy DM25 of the LDLP Part 2.

In the interests of the residential amenities of the neighbours having regard to LLP1 policy CP11, LDLP Part 2 policies DM20 and DM23, a condition is sought to require that construction and deliveries to the site is restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays, with no works permitted at any time on Sundays or on Bank/Statutory Holidays.

Likewise, the applicant will be required to submit a CEMP Plan cover the arrangements for managing all environmental effects of the development during the construction period, including traffic (including a workers travel plan),

temporary site security fencing, artificial illumination, noise, vibration, dust, air pollution and odour, site illumination.

7.5

Sustainability and Drainage

Regarding drainage, the application site is a brownfield plot which is already connected to foul and surface water drainage. The site is currently dominated by impermeable surfacing. The intention is to decrease the amount of impermeable surfacing, by utilising a combination of permeable paving and subsurface attenuation systems with sufficient capacity to manage run-off.

ESCC SUDS have been consulted on the proposed development and offered no objection to the proposed development, commenting that the layout demonstrates existing sewers / piped watercourse can be adequately diverted within the site layout subject to technical design of the diversion and building foundations.

The application incorporates a number of measures to deliver energy efficiency, including re-use of the existing joinery building fabric, utilisation of efficient glazing, heating equipment, air source heat pumps and a 18.7 kWp PV array.

The application was submitted prior to the requirement to deliver 10% biodiversity net gain, nonetheless it was accompanied by an extensive Preliminary Ecological Appraisal. Being a brownfield development comprising several existing buildings and an extensive hardstanding, it is noted that the site offers some opportunity for enhancement of biodiversity.

The proposal would see the introduction of soft landscaping and formation of residential gardens which would result in an on-site net % change of 52.86% for habitat units and 0.00 for hedgerow units. This is considered to be acceptable.

It is noted that the conversion of the building has the potential to impact on bats and so, a protected species mitigation licence will need to be applied should planning permission be granted. An informative will be added to any recommendation of approval.

Likewise, it is considered appropriate to apply a condition requiring ecological enhancement and mitigation measures to be implemented prior to occupation of the development in order to comply with Core Policies 11 and 12 of the Lewes District Joint Core Strategy.

The site falls within the 7km Ashdown Forest zone of influence. Development that involves a net increase in residential development in this area is highly likely to increase recreational impact upon the forest, which is a Special Protection Area (SPA) and Special Area of Conservation (SAC).

In response to this demonstrable impact, and in line with the statutory requirement of the Local Planning Authority to protect the integrity of SPA's, as per The Conservation of Habitat and Species Regulations 2017, all development involving a net gain in residential dwellings is required to make a contribution towards Suitable Alternative Natural Greenspace (SANGs) and Strategic Access Management and Monitoring (SAMMs) as a means to secure the provision of alternative recreation space for future occupants (taking recreational pressure off the forest) and to assist in management of the SPA as well as fund initiatives to increase the awareness of visitors to the sensitivity of the area.

Further confirmation of this approach is provided in the Recreational Impact Statement of Common Ground for Ashdown Forest which was made between Natural England and Lewes District Council as well as Mid Sussex District Council, Sevenoaks District Council, Tandridge District Council, Tunbridge Wells Borough Council and Wealden District Council

7.6

Access Transport and Parking

As the site is a brownfield site, the vehicular access will remain as per existing, with access to the A272 (High Street) which forms the southern boundary of the site. ESCC Highways were consulted and did not object to the proposed development, subject to conditions and a legal agreement requiring a contribution of £1,350 per dwelling (£25,650 in total) towards ensuring the Sunday bus service continues to operate beyond March 2026

The proposal would provide 28 parking spaces (with each of the Mews Houses afforded a garage with EVCP and parking space, and 19 unallocated spaces with x1 communal EVCP for the flats). It is noted that the ESCC Parking calculator would suggest 31 spaces are required based on 2 allocated spaces for the 3-bedroom dwellings meaning the site falls 3 spaces short of the recommended number. However, there is capacity on the site for additional parking in the southeast corner of the site meaning the small shortfall of parking is unlikely to result in significant overspill onto the A272.

Cycling will be encouraged via the provision of secure cycle storage in the rear gardens of the mews houses, and secure communal cycle space for the flats.

The A272 offers the site ready access to the neighbouring settlements of Chailey and Uckfield which provide further schools, Public Houses, shopping facilities and other amenities.

The site benefits from good pedestrian links via well-lit accessible footpaths that run along both sides of the A272, connecting the site to bus stops, village amenities and the wider area.

There is an existing bus service operating serving the village, with bus stops located approximately 200 metres away at Newick Hill (served by bus route 31, 31A, 31B (Uckfield – Cuckfield) and 121 (Uckfield - Lewes) providing regular public travel to variety of local destinations.

7.7 Human Rights Implications

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.

7.8 Conclusion

The proposed development represents an acceptable redevelopment of brownfield land which would integrate well with the surrounding development in terms of materials and form. This development would be achieved without unacceptable adverse impact upon the amenities of neighbouring residents.

As well as being located within the planning boundary, it would deliver much needed smaller residential units within close proximity to village amenities and with acceptable road and bus links.

8. Recommendations

- 8.1 The application is recommended for approval subject to conditions listed in this report, and subject to a unilateral undertaking to secure SANGs and SAMMs contributions.

9. Conditions

9.1 1. Time Limit

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission.

Reason: To enable the LPA to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Approved plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in Section 11 of this report.

3. Materials (Design)

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

The development shall thereafter be carried out in accordance with the approved details and/or samples.

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

4. Surface Water Discharge Rate (Drainage)

Surface water discharge rates not exceeding 1.8 l/s for all rainfall events, including those with 1 in 100 (+45% for climate change) annual probability of occurrence. Evidence of this (in the form of hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

5. Outfall and Attenuation Details (Drainage)

The details of the outfall of the proposed attenuation / permeable pavement and how it connects into the piped watercourse/sewer should be provided as part of the detailed design including the proposed pipe diversion. This should include cross sections and invert levels.

6. Piped Watercourse Investigation (Drainage)

The condition of the piped watercourse/sewer which will take surface water runoff from the development should be investigated before discharge of surface water

runoff from the development is made. Any required improvements to the condition of the watercourse should be carried out prior to construction of the outfall.

7. Exceeding Flows (Drainage)

The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

8. Attenuation Design informed by monitoring (Drainage)

The detailed design of any below ground attenuation should be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the ponds and the highest recorded groundwater level. Alternatively, or if this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided.

9. Maintenance / Monitoring Plan (Drainage)

A maintenance and management plan for the entire drainage system should 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 should cover the following:

- a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, 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.

10. Manage Flood Risk (Drainage)

The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.

11. Evidence of Compliance (Drainage)

Prior to occupation of the development, evidence (including surveys, as built plans, site records and photographs as necessary) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

12. Vehicle Access Provision (Highways)

No development shall not be occupied until the vehicular access serving the development has been reconstructed in accordance with the approved drawing no 12674/2200

REASON: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

13. Parking Area Provision (Highways)

The development shall not be occupied until the parking areas have been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area[s] shall thereafter be retained for that use.

REASON: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

14. Parking Space Dimensions (Highways)

The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls or fences).

REASON: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

15. Cycle Parking Provision (Sustainable Travel)

The development shall not be occupied until cycle parking has been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area[s] shall thereafter be retained for that use.

REASON: In order that the development site is accessible by non- car modes and to meet the objectives of sustainable development.

16. Turning head Provision (Design)

The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans which shall have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the turning space shall thereafter be retained for that use and shall not be obstructed.

REASON: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

17. Bin storage (Design)

The development shall not be occupied until bin storage areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

REASON: In order that the development site is accessible by non car modes, to meet the objectives of sustainable development and in the interest of environmental amenity in accordance with LLP1 policies CP11 and CP13, and LLP2 policy DM25.

18. Hours of Works and Deliveries (Amenity)

Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

REASON: In the interests of the residential amenities of the neighbours having regard to LLP1 policy CP11, LLP2 policies DM20 and DM23.

19. Construction Environmental Management Plan (CEMP) (Amenity)

No development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period, including traffic (including a workers travel plan), temporary site security fencing, artificial illumination, noise, vibration, dust, air pollution and odour, site illumination and shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Planning Authority.

REASON: In the interests of amenity of the locality

20. Program of Archaeological Works - Arch 1 (Conservation)

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.

21. Post Investigation Assessment - Arch 3 (Conservation)

No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition [ARCH 1]

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 194-205 of the National Planning Policy Framework 2018.

22. Land contamination (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:

Additional site investigation scheme, based on preliminary investigations already undertaken to provide information for a detailed assessment of the risk to all receptors that may be affected , including those off site;

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;

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON:To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can

be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, para 170, 174, 178 and 179].

23. Verification report (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.

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].

24. Previously unidentified land contamination (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.

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].

25. Piling (Env Agency)

Piling and other foundation designs utilising 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.

REASON: To ensure that the proposed development does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and Position Statement A4 of the 'The Environment Agency's approach to groundwater protection'.

26. Remediation Strategy (Env Agency)

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

A). A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

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

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

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

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

27. Verification report (Env Agency)

Prior to any part of the permitted development being occupied, a verification report demonstrating the 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.

REASON: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

28. Ecological Enhancement / Mitigation (Ecology)

The development shall not be occupied until ecological enhancement measures detailing the locations of ecological mitigation including (but not limited to) habitat creation, bird boxes, bee bricks and hedgehog holes have been submitted to and approved in writing by the LPA. These details shall be implemented prior to first occupation of the development. The approved provisions shall thereafter be retained.

REASON: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework, and Core Policy CP10 of the Lewes District Local Plan 2016

29. No External Lighting (Amenity)

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.

REASON: To protect the amenity and character of the surrounding countryside having regard to Policy CP10 of the Lewes District Local Plan part one, policy DM20 of the Lewes District Local Plan part two, policy 4.11 of the Ringmer Neighbourhood Plan and para. 180 of the NPPF.

30. Tree Pruning (Arboriculture)

Any tree pruning works shall be carried out in strict accordance with BS3998:2010.

REASON: Required to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with policy DM25

31. Retained Trees (Arboriculture)

Protection of retained trees* -

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree* is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**In this condition — 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.*

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity and to comply with policies DM25

32. Restrict PD Mews Houses (Amenity)

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no works defined within Part 1 of Schedule 2, classes A, B and D inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

REASON: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual and residential amenity in accordance with policy CP11 of the Lewes District Local Plan Part 1 and policies DM25 and DM30 of the Lewes District Local Plan Part 2.

10.

Informatives

10.1

1. Highways.

This Authority's requirements associated with this development proposal will need to be secured through a Section 278 Legal Agreement between the applicant and

East Sussex County Council The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process.

The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

2. Southern Water

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: www.southernwater.co.uk/developing-building/connection-charging-arrangements

3. Contaminated Land

(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>

(b) All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, removed from the site and disposed of in an appropriate manner.

4. GCN 1

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

5. GCN 2

All works shall be carried out in accordance with the following measures:

- Any trenches left overnight should be covered or provided with ramps to prevent GCN from becoming trapped.
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage great crested newts from using them as shelter.
- Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

6. GCN 3

If at any point during construction works any great crested newts are identified, then the following instructions must be strictly adhered to:

- Stop all works immediately and leave the area
- Inform an ecologist immediately who will provide further guidance / instructions
- Do not try to handle or rescue a great crested newt
- Do not resume construction works until advised it is safe to do so by an ecologist

It should be noted that if an individual great crested newt is found at any point during the works, a European Protected Species Licence (EPSL) or District Licence (DL) may be required to permit works that would potentially cause disturbance and otherwise commit an offence under the relevant legislation.

11. Plans

11.1 This decision relates solely to the following plans:

<u>Plan Type</u>	<u>Date Recieved</u>	<u>Plan Name</u>
Tree Statement/Survey	9 October 2023	Tree Survery Report
Other Plan(s)	9 October 2023	23_1743_TPP_NT - Tree Protection Plan
Other Plan(s)	9 October 2023	23_1743_TCP_NT - Tree Constraints Plan
Technical Report	9 October 2023	Preliminary (Phase 1) Risk Assessment Report - Appendix D - Envirocheck Database Report
Technical Report	9 October 2023	Preliminary (Phase 1) Risk Assessment Report
Location Plan	9 October 2023	Site Location Plan
Technical Report	9 October 2023	Preliminary (Phase 1) Risk Assessment Report - Appendix C - Historical Map Report
Technical Report	9 October 2023	Envirocheck Report - Historical Data Report Datasheet
Additional Documents	9 October 2023	Preliminary (Phase 1) Risk Assessment Report - Appendix A - Site Plans & Appendix B - Photographs
Additional Documents	9 October 2023	Ecological Impact Assessment
Flood Risk Assessment	9 October 2023	Flood Risk Assessment, Surface Water and Foul Drainage Strategy
Technical Report	9 October 2023	Ecological Data Search
Proposed Elevation(s)	9 October 2023	Ecological Data Search
Proposed Elevation(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-2302 P01 - Proposed Elevations
Additional Documents	9 October 2023	Energy & Sustainability Statement
Other Plan(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-1501 P01 - Demolition Elevations
Proposed Elevation(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-2300 P01 - Proposed Elevations
Proposed Elevation(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-2301 P01 - Proposed Elevations
Proposed Roof Plan	9 October 2023	23003-HNW-ZZ-03-DR-A-2203 P01 - Proposed Roof Plans

Other Plan(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-1101 P01 - Existing Survey
Existing Elevation(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-1300 P01 - Existing Elevations
Existing Elevation(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-1301 P01 - Existing Elevations
Other Plan(s)	9 October 2023	23003-HNW-ZZ-ZZ-DR-A-1500 P01 - Demolition Elevations
Proposed Floor Plan(s)	9 October 2023	23003-HNW-ZZ-01-DR-A-2201 P01 - Proposed First Floor Plans
Existing Roof Plan	9 October 2023	23003-HNW-ZZ-02-DR-A-1202 P01 - Existing Roof Plans
Other Plan(s)	9 October 2023	23003-HNW-ZZ-02-DR-A-1402 P01 - Demolition Roof Plans
Proposed Floor Plan(s)	9 October 2023	23003-HNW-ZZ-02-DR-A-2202 P01 - Proposed Second Floor Plans
Proposed Block Plan	9 October 2023	23003-HNW-ZZ-00-DR-A-2100 P01 - Proposed Block Plan
Proposed Floor Plan(s)	9 October 2023	23003-HNW-ZZ-00-DR-A-2200 P01 - Proposed Ground Floor Plans
Existing Floor Plan(s)	9 October 2023	23003-HNW-ZZ-01-DR-A-1201 P01 - Existing First Floor Plans
Other Plan(s)	9 October 2023	23003-HNW-ZZ-01-DR-A-1401 P01 - Demolition First Floor Plans
Justification / Heritage Statement	9 October 2023	Heritage, Design and Access Statement - Part Two
Design & Access Statement	9 October 2023	Heritage, Design and Access Statement - Part Two
Existing Block Plan	9 October 2023	23003-HNW-ZZ-00-DR-A-1102 P01 - Existing Block Plan
Existing Floor Plan(s)	9 October 2023	23003-HNW-ZZ-00-DR-A-1200 P01 - Existing Ground Floor Plans
Other Plan(s)	9 October 2023	23003-HNW-ZZ-00-DR-A-1400 P01 - Demolition Ground Floor Plans
Justification / Heritage Statement	9 October 2023	Heritage, Design and Access Statement - Part One
Design & Access Statement	9 October 2023	Heritage, Design and Access Statement - Part One
Additional Documents	9 October 2023	Utilities Search - Electrics
Additional Documents	9 October 2023	Financial Viability Assessment
Transport Assessment	9 October 2023	Transport Statement
Additional Documents	9 October 2023	Utilities Search - Report
Technical Report	10 June 2024	SUDS Addendum AEG02734_N8_Newick_07_Addendum_v1.3_(002)
Affordable Housing Statement	25 October 2023	Affordable Housing Statement
Sustainability Checklist/Energy Stmt	25 October 2023	Sustainability Checklist for Major Developments

12. Appendices

12.1 None.

13. Background Papers

13.1 None.