

**Report to:** Planning Applications Committee  
**Date:** 6 November 2024  
**Application No:** LW/24/0562  
**Location:** Site to the rear of 2-16 Broyle Close, Ringmer  
**Proposal:** Variation of condition 1 (approved plans), 6 (Visibility Splays), 19 (Ecology enhancement measures), 20 (Glazing) and 22 (Bird and Bat Boxes) relating to approval LW/21/0351 - Conditions to be varied to allow for revisions to building design and positioning and correct sequencing of construction works in the appropriate manner, this is to avoid doing deleterious works as some of the pre-commencement conditions require works to be done against sequence, Condition wording to be changed, Condition 6 - Change to a pre-occupation condition, Condition 19 - Change to a pre-occupation condition, Condition 20 - Change wording to allow for windows to be openable for purged ventilation, due to overheating requirements, Condition 22 - Removal of wording to stipulate requirement for bat boxes and mammal gates as this is not a requirement in the ecology report

**Applicant:** Lewes District Council  
**Ward:** Ouse Valley & Ringmer  
**Recommendation:** Approve subject to conditions subject to no additional material matters being introduced through public representations prior to the expiry of the statutory consultation period on 18<sup>th</sup> November.

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### Site Location Plan



<b>1</b>	<b>Executive Summary</b>
1.1	The submitted plans make various amendments to the scheme for three new dwellings on the site that was approved under LW/21/0351.
1.2	It is considered that the amended scheme would continue to relate sympathetically to the surrounding residential and rural environment, would preserve the amenities of neighbouring residents and would provide good quality living conditions for future occupants.
1.3	The application also seeks permission to revise the wording of, or delete, a number of conditions attached to the original approval. These revisions/deletions are considered to be appropriate and would not result in the loss of any necessary safeguards required to ameliorate the impact of the development.
1.4	It is therefore recommended that the application is approved to allow for the development to be carried out in accordance with the approved plans and subject to the revised schedule of conditions listed at the end of this report.
<b>2.</b>	<b>Relevant Planning Policies</b>
2.1	<p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development</p> <p>4. Decision making</p> <p>5. Delivering a sufficient supply of homes</p> <p>8. Promoting healthy and safe communities</p> <p>9. Promoting sustainable transport</p> <p>11. Making effective use of land</p> <p>12. Achieving well-designed and beautiful places</p> <p>14. Meeting the challenge of climate change, flooding, and coastal change</p> <p>15. Conserving and enhancing the natural environment</p>
2.2	<p><u>Lewes Local Plan Part 1 (LLP1):</u></p> <p>CP2 – Housing Type, Mix and Density;</p> <p>CP10 – Natural Environment and Landscape;</p> <p>CP11 – Built and Historic Environment &amp; Design</p> <p>CP12 – Flood Risk, Coastal Erosion and Drainage</p> <p>CP13 – Sustainable Travel</p> <p>CP14 – Renewable and Low Carbon Energy</p>
2.3	<p><u>Lewes Local Plan Part 2 (LLP2)</u></p> <p>DM25 – Design</p>

2.4	<p><u>Ringmer Neighbourhood Plan (NNP)</u></p> <p>4.10 – Retaining and Enhancing Biodiversity</p> <p>4.11 – Avoidance of Light Pollution</p> <p>6.1 – Total New Housing Numbers in Ringmer to 2030</p> <p>6.3 – Scale of New Residential Development</p> <p>8.3 – Provision of Adequate Off-Road Parking</p> <p>8.5 – Road Safety</p> <p>8.11 – Drainage and Sewerage</p> <p>9.1 – Design, Massing and Height of Buildings</p> <p>9.2 – Making Good use of Available Land</p> <p>9.3 – Materials</p> <p>9.4 – Housing Space Standards</p> <p>9.6 – Hard and Soft Landscaping</p>
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<b>3.</b>	<b>Site Description</b>
3.1	The site comprises a hard surfaced area positioned to the rear of dwellings on the northern side of Broyle Close. A block of concrete built flat roof garages is positioned on the southern boundary of the site. There is a path running along the rear of the garages which provides access to the rear gardens of dwellings that back onto the site. Vehicular access is provided by a hard surfaced drive taken from Broyle Close.
3.2	The site is located on the edge of the settlement boundary of Broyle Side. It backs onto fields that form part of open countryside extending northward on rising ground towards Uckfield. There are also sporadic groups of agricultural buildings and occasional dwellings to the north. The environment to the south is distinctly different, being characterised by residential development which, in the immediate locality, is predominantly in the form of terraced and semi-detached to-storey dwellings built in the late 1960's/early 1970's.
3.3	The site, along with other parcels of land around Broyle Close, is allocated for residential development by Ringmer Neighbourhood Plan policy 6.4, with the reference RES10. Planning permission was granted under LW/21/0351 for the garages to be removed and three dwellings erected on site in their place. Other than the residential allocation, there are no specific planning designations or constraints attached to the site or the immediate surrounding area.

<b>4</b>	<b>Proposed Development</b>
4.1	The application seeks permission to make various modifications to the three dwellings approved under LW/21/0351 as follows:-

- Change in footprint with each dwelling being narrower in width but greater in depth;
- Repositioning of dwellings with frontage set further back towards the rear of the site and the rear elevations consequently being closer to the northern site boundary;
- Alterations to design including revised roof line, omission of flat roof elements and oriel windows.
- Relocation of 4 x compensatory parking spaces from the area of green space to the south of 71 Broyle Lane to the southern edge of the site adjacent to the footway serving rear of properties on Broyle Close;

In addition, permission is being sought to amend the triggers for works secured by a number of conditions to be carried out. The conditions affected are:-

- Condition 6 – the provision of visibility splays at the point where the access road meets Broyle Close. Permission is sought to execute these works prior to the occupation of the development rather than prior to commencement of development;
- Condition 19 – relates to a package of ecological enhancement measures that are to be delivered as part of the development. The condition currently requires these measures to be in place prior to the commencement of development. Permission is sought to alter the trigger allow for the works to be carried out post commencement but prior to the occupation of the development;
- Condition 20 – the condition relates to side facing windows at upper floor levels. Permission is sought to remove this condition as it is considered to be obsolete following the amendments to the design of the scheme which includes the positioning of windows.
- Condition 22 – the condition relates to the provision of mammal gates below fences and of bat and bird boxes. The applicant argues that these are not required as they are not identified as being necessary in the ecological report accompanying the original planning application. The applicant is therefore seeking permission for this condition to be removed.

<b>5.</b>	<b>Relevant Planning History:</b>
5.1	<b>E/68/0968</b> – Proposed estate layout of sixty seven houses and bungalows with garages – Approved Conditionally 7 <sup>th</sup> November 1978
5.2	<b>LW/21/0351</b> – Redevelopment of vacant garage site to provide 3no three bed affordable homes including associated vehicle parking, Hard and Soft Landscaping – Approved Conditionally 15 <sup>th</sup> December 2021

<b>6.</b>	<b>Consultations:</b>
6.1	None received prior to the publication of the committee agenda.

<b>7.</b>	<b>Other Representations:</b>
7.1	None received prior to the publication of the committee agenda.

<b>8.</b>	<b>Appraisal:</b>
8.1	<p><u>Principle:</u></p> <p>The principle of the development has already been established following the approval of application LW/21/0351.</p> <p>Section 73 (1) of the Town &amp; Country Planning Act 1990 (as amended) allows planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted if agreed with the Local Planning Authority. This includes the variation of approved plans to allow for minor material amendments as per the Planning Practice Guidance for Flexible Options for Planning Permissions. Para. 017 of the guidance states that 'there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.'</p> <p>A recent high court decision [Armstrong v Secretary of State for Levelling-up, Housing and Communities &amp; Anor [2023] EWHC 176 (Admin) (27 January 2023)] has established that, as the wording of the PPG is not contained within legislation, there is no mechanism to limit the scope of a section 73 application to allow only for amendments that do not substantially alter the character of the development and, therefore, they should only be rejected as minor amendments where the operative part (the description) of the permission is no longer adhered to.</p> <p>The description attached to the planning permission issued under LW/21/0351 refers redevelopment of vacant garage site to provide 3-No. three bed affordable homes including associated vehicle parking, Hard and Soft Landscaping. The revised scheme would adhere to this description.</p> <p>However, the judgement goes on to confirm at para. 78 that the effect of giving the words used in section 73 their plain and ordinary meaning, so as to allow an application to be made for non-compliance with any planning condition which is not in conflict with the operative part of permission does not, of course, dictate the outcome of that application. It simply means that the application can be entertained. Any such application would then fall to be determined on its planning merits.</p>

	<p>The application will therefore be assessed in this context, with an assessment made of how the amended scheme responds to relevant local and national planning policies and legislation.</p> <p>All conditions attached to the previous approval would be carried over unless they are no longer relevant or require modification following the proposed amendments. New conditions would also be attached if any of the amendments made warrant their inclusion.</p>
8.2	<p><u>Impact on Character and Appearance of the Surrounding Area:</u></p> <p>The proposed revisions to the design, scale and appearance of the dwellings introduce a simplified design with a consistent roof height and ridge line and the omission of protruding oriel windows. These changes would alter the character of the development, with the approved contemporary building design being replaced with more traditional forms. Whilst this would reduce the distinctiveness of the development to a degree, it would strengthen the visual relationship with existing residential development to the south, where dwellings are typically two-storey with a simple gable roof over.</p> <p>The proposed amendments would also impact upon the dimensions of the dwellings, which would be narrower than the approved dwelling but greater in depth, and their positioning, with them being set back approximately 2.5 metres further from the northern boundaries of dwellings on Broyle Close that back onto the site. However, the overall footprint of each dwelling is similar to that of the approved scheme as is the height and, whilst the mass would not be articulated to the same degree as in the approved scheme which included a stepped roof line, the overall scale of the development would be consistent with that of the approved scheme and of the scale of buildings in the neighbouring residential area to the south.</p> <p>The proposed dwellings would incorporate a mixed palette of materials, with upper parts of the elevations contrasting with the ground floor level. Again, this is consistent with the appearance of surrounding dwellings where there is typically a mix of lighter weatherboarding or rendering at ground floor level with darker tile hanging above. The proposed dwellings would continue to engage well with their surroundings by providing clear frontages that overlook the access road and parking area to the front, preventing an unacceptable sense of seclusion in what is a backland location.</p> <p>The proposed alterations would result in the dwellings being pushed approx. 2.5 metres closer to the countryside that backs onto the northern edge of the site. It is considered that this repositioning would not compromise the character of surrounding open countryside noting that existing development on Broyle Close already provides an urban edge to the south of the field and that the field to the north of the site has an existing sense of detachment from the wider countryside due to it being positioned between the urban edge of Broyle Side and the large agricultural buildings at Upper Broyle Farm and the dwelling at Broyle Oak to the north. In any case, the overall relationship with the surrounding countryside would be similar to the approved scheme but with the simplified roof scheme improving assimilation with the established built</p>

environment further south, thereby reducing potential for the development to appear incongruous.

The approved scheme included additional works on the area of green space to the west of the site access road, south of 71 Broyle Lane. These works involved, amongst other things, the introduction of 4 car parking bays to compensate for the loss of car parking as a result of the demolition of the garage and loss of hard surfaced car parking currently available on the site. The proposed amendments to the site layout relocate these parking spaces to the main site area, with them being positioned on the southern side of the development access road, flanking the footpath that provides access to the rear of dwellings on Broyle Close. By relocating the parking spaces, it will be possible to retain and enhance the green space to the west of the access road, thereby preserving and enhancing the existing character of Broyle Close where areas of open green space are a common feature that helps define the transition from the urban environment of Broyle Side to the countryside beyond.

A bin store would continue to be site on the green space, adjacent to the access. The proposed works to widen the existing footpath crossing the green space to 2 metres would no longer be undertaken.

As full details of external materials are included on the submitted plans it is considered that LW/21/0351 condition 2 can be amended to a compliance condition as there is no longer any requirement for additional details of materials to be provided.

Overall, it is considered that the proposed amendments to the scheme would not undermine its character or its quality and would in fact strengthen the relationship of the development towards the surrounding built environment.

8.3 Impact upon Neighbour Amenities:

The proposed amendment to the site layout would push the proposed dwellings approx. 2.5 metres further back from the southern boundary of the site and, therefore, from the rear elevations and gardens of dwellings on the northern side of Broyle Close. Whilst the maximum height of the dwellings would remain largely as per the approved scheme the proposed amendments would remove the stepped form to the roof line meaning there would be a minor impact on outward views from the rear of Broyle Close towards the countryside to the north. However, it should also be noted that the proposed dwellings are narrower than the approve dwellings meaning there would be larger gaps maintained between and around them. With this in mind along with the degree of set back from neighbouring properties, by approx. 9.5 metres from the rear gardens of properties backing onto the site and approx. 30 metres from the rear elevations of those properties, it is considered that the proposed dwellings, as amended, would not have an overbearing or overshadowing relationship towards those neighbouring dwellings.

Although the depth of the flank elevations would be increased, they would also be set back further to eh rear of the site and given this, the fact that the overall height of the dwellings is broadly consistent with that of the

approved scheme and that the eastern side elevation of the proposed dwellings would not advance any further towards the neighbouring property to the east, 18 Broyle Close, than the approved dwellings, it is considered that the amended scheme would not result in any unacceptable overbearing or overshadowing impact towards 18 Broyle Close.

The front facing windows on the dwellings would look towards the rear boundaries of properties on the northern side of Broyle Close. With reference to the separation distances set out above, it is considered that a suitable gap would be maintained to prevent any views from these windows towards the neighbouring properties from being intrusive. The previously approved scheme included side facing windows at first floor level which would have allowed intrusive views towards 18 Broyle Close, to the east of the site. In response, a condition (No. 20) was attached to require all upper floor side facing windows to be obscure glazed and fixed shut up to 1.7 metres above the finished floor level of the room that they would serve. The revised scheme does not include any side facing windows at upper floor level and so the condition is unnecessary. Should the occupants of the dwellings wish to add side facing upper floor windows in the future, it is noted that permitted development rights include restrictions to prevent upper floor side facing windows being added to any dwelling unless they are obscure glazed and fixed shut to a height of 1.7 metres above the finished floor level of the room that they serve. This removes the potential for future development allowing intrusive views being carried out.

The revised layout includes car parking spaces towards the southern side of the site, which is backed onto by dwellings on the northern side of Broyle Close. The spaces would be side-on to the neighbouring properties, all of which have boundary fencing in place. There would also be a buffer between the spaces and the neighbouring properties provided by the existing footpath that provides rear access to gardens. It is therefore considered that the use of these parking spaces would not generate unacceptable levels of disturbance towards neighbouring residents. A condition will be used to ensure measures are in place to prevent parked cars from obstructing the adjacent pathway in order to ensure residents on Broyle Close continue to benefit from the ability to access their gardens from the rear. This would likely be in the form of bollards or fencing.

8.4

Living Conditions for Future Occupants:

The amended dwellings would continue to provide Gross Internal Area (GIA) that is compliant with The Department for Communities and Local Government document entitled Technical housing standards - nationally described space standard. All primary habitable rooms would be served by clear glazed windows that would provide good levels of access to natural light, ventilation and outlook. The internal layout of each dwelling is considered to be clear and easily navigable.



	<p>Each dwelling would be provided with a private garden area that would be of a good size. These gardens would primarily be positioned to the side of each dwelling but would be enclosed by fencing to secure privacy and directly accessible from the main dwelling as well as from the road.</p> <p>As stated earlier in the report, the design of the dwellings ensuring that the site, in spite of its backland location, is subject to a good level of natural surveillance from surrounding windows, thereby preventing future occupants experiencing any unacceptable sense of isolation or vulnerability.</p>
8.5	<p><u>Sustainability:</u></p> <p>The proposed amendments to the development would support the use of modular construction methods, with the dwellings being fabricated off-site before being installed. This method introduces efficiency measures particularly in terms of reduction in waste materials. It also allows works to continue in poor weather and reduces impact upon neighbouring residents as a result of on-site construction activities.</p> <p>The proposed dwellings would be constructed in energy efficient materials. The increase in size of the south facing roof slope allows for additional solar panels to be installed. Full details of carbon reduction, energy efficiency and renewable energy generating measures for the scheme will be secured by condition 5 which was attached to the original approval and will remain in place should the current scheme be approved.</p> <p>The simplified design of the dwellings is likely to reduce maintenance costs experienced by future occupants due to the amendment incorporating more standardised features.</p> <p>Overall, it is considered that the proposed amendments to the scheme would introduce enhancements to what was already a sustainable reuse of a brownfield site for housing.</p>
8.6	<p><u>Highway Impact:</u></p> <p>The proposed amendments include some alterations to parking and access arrangements for the development. A cobbled section at the entrance to the development would be removed. The 4 x compensatory parking spaces would be relocated as described earlier in this report and the footway widening works would no longer be carried out.</p> <p>The cobbled section of the access road and footway widening works were not requested by ESCC or required on highway safety/accessibility grounds. The existing footway would continue to function effectively and safety of pedestrians would be improved as there would no longer be car parking bays located adjacent to it, meaning the proposed dropped kerb crossover adjacent to the green area at the site entrance is no longer required and, therefore, vehicles would only be crossing the pavement in</p>

	<p>one place, where the established site access is, rather than in multiple locations.</p> <p>The relocated compensatory parking spaces would remain close to dwellings on Broyle Close and accessible to existing residents. It is recommended that signage is provided to make it clear that they are communal parking bays and that details are provided of measures to prevent parked cars obstructing the rear access path that runs behind properties on the northern side of Broyle Close.</p> <p>The overall amount of parking provided by the development would remain as per the approved scheme and, as such, remain suitable to accommodate the parking demand generated by the development.</p> <p>The application requests an amendment to condition 6, which secures visibility splays at the site access. The request is that these splay are provided prior to the occupation of the development rather than prior to its commencement. This is considered acceptable as it would ensure splays are in place when residents move into the development. However, details of how construction traffic would enter and leave the site safely prior to the visibility splays are in place would need to be provided. Such details can be secured as part of the Construction Management Plan.</p>
8.7	<p><u>Drainage</u></p> <p>The proposed amendments do not significantly alter the amount of impermeable surfacing that would be introduced by the development and it is noted that the site is not in flood zone 2 or 3, although there are parts of it that may be subject to surface water flood risk. Nevertheless, the site in its current form is almost entirely impermeable, the proposed scheme will increase permeable surfacing as well as provide a sustainable drainage scheme that would prevent the risk of surface water flooding. A condition was attached to the original approval to secure the details of an appropriate drainage scheme (condition 4), and this will be carried over to the amended scheme should it be approved.</p> <p>The trigger for the submission of drainage details has been altered to allow for site clearance works to be carried out prior to these details being submitted. The condition will require approval of the drainage scheme prior to any drainage infrastructure being installed instead.</p>
8.8	<p><u>Biodiversity</u></p> <p>The amendments sought to the conditions attached to the approved scheme include a request to alter the trigger of the condition requiring agreed ecological enhancement works being carried out prior to the commencement of development. This is considered acceptable as it would not be practical to carry out enhancements prior to construction activities being carried out, given the amount of disturbance construction works would cause to the ground and the fact they would take place in some of the ecological enhancement areas. The amendment to require these</p>

	<p>works to instead be carried out prior to the occupation of the development is therefore considered to be reasonable.</p> <p>Tree protection measures for retained trees/hedgerow would remain in place through construction works as per the plans approved under the original permission and the accompanying condition number 17.</p> <p>The applicant has also sought permission to omit the bat and bird boxes and mammal gates required by condition 22 of the original approval. In the case of mammal gates this is to avoid duplication as these features, referred to as 'hedgehog holes', are already included in the ecological enhancement works recommended in the approved Ecological Assessment and secured under condition 21. In the case of bat and bird boxes, the Ecological Impact Assessment did not consider these to be necessary and, therefore, it is considered unreasonable to require them.</p> <p>The proposed amendments allow for a greater amount of green space to be retained at the entrance to the site due to the relocation of parking spaces and this area is now to be utilised for wildflower planting, which is considered to represent an additional ecological enhancement. It should be noted that the original scheme incorporated a Biodiversity Net Gain of 253.54% as per the submitted metric.</p>
8.9	<p><u>Additional Amendments to Conditions</u></p> <p>On inspection, it is noted that there are a small number of conditions attached to the original approval that contain ambiguous wording or are not related to the works being carried out as part of the development. These are as follows:-</p> <p>LW/21/0351 condition 7 suggested that a further car parking plan needed to be submitted for approval whereas car parking is already shown on the plans for the approved scheme and the current scheme. This wording has therefore been removed.</p> <p>LW/21/0351 condition 15 states that no windows should be added to the side walls of 'the extensions' hereby approved. The development does not involve any extensions and there is already a permitted development restriction in place to prevent the formation of additional windows so it would appear this condition was added in error and should therefore be removed.</p> <p>LW/21/0351 condition 16 refers to impacts on Lorraine Road. This is clearly an error as there are no roads with this name in the immediate vicinity. The reference has been amended to Broyle Close.</p>
8.10	<p><u>Human Rights Implications:</u></p> <p>The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations</p>

	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.
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<b>9.</b>	<b>Recommendations</b>
9.1	It is recommended that permission is granted subject to the conditions listed below.

<b>10.</b>	<b>Conditions:</b>
10.1	<p><b>Time limit</b></p> <p>The development to which this permission relates shall be begun within three years of the date of this permission.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
10.2	<p><b>External Materials</b></p> <p>The external materials and finishes (including surfaces) of the development hereby approved shall be provided and maintained in accordance with the details shown on the approved plans unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11 and DM25 of the Lewes District Local Plan and to the National Planning Policy Framework.</p>
10.3	<p><b>Construction Management Plan</b></p> <p>No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>• the anticipated number, frequency and types of vehicles used during construction</li> <li>• the method of access and egress and routeing of vehicles during construction</li> </ul>

	<ul style="list-style-type: none"> <li>• the parking of vehicles by site operatives and visitors</li> <li>• the loading and unloading of plant, materials, and waste</li> <li>• the storage of plant and materials used in construction of the development</li> <li>• the erection and maintenance of security hoarding</li> <li>• the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders)</li> <li>• details of public engagement both prior to and during construction works.</li> <li>• details of measures to manage flood risk, both on and off the site, during the construction phase.</li> </ul> <p>Reason: In the interests of highway safety and the amenities of the area.</p>
10.4	<p><b>Drainage</b></p> <p>Prior to works involving the installation of any drainage infrastructure, a SUDS scheme shall be submitted to and approved in writing by the LPA. The drainage scheme shall thereafter be installed in accordance with the approved details and maintained in place for the lifetime of the development.</p> <p>Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding.</p>
10.5	<p><b>Sustainability</b></p> <p>No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage</p> <p>The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained.</p> <p>Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>
10.6	<p><b>Visibility Splays</b></p>

	<p>Prior to the first occupation of the development, visibility splays of 2.4m by 43m are provided to the site accesses unless the road is less than 43 metres in length. In this circumstance the visibility spay should be as far as possible. The visibility splays shall be maintained thereafter. The height of the boundary wall and all vegetation should be retained at 1 metre in height towards the north in order to optimise the driver sightline.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
10.7	<p><b>Car Parking</b></p> <p>The development shall not be occupied until the parking areas have been provided in accordance with the approved plans and the area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
10.8	<p><b>Parking Dimensions</b></p> <p>The parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).</p> <p>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.</p>
10.9	<p><b>Cycle Parking</b></p> <p>The development shall not be occupied until a cycle parking area has been provided in accordance with plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.</p> <p>Reason: In order that the development site is accessible by non- car modes and to meet the objectives of sustainable development</p>
10.11	<p><b>Electric Vehicle Parking</b></p> <p>No part of the development shall be occupied until details for the provision of electric car charging points have been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to occupation.</p> <p>Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.</p>
10.12	<p><b>Bin Stores</b></p>

	<p>No part of the development shall be occupied until the refuse and recycling storage facilities detailed in 9095-P-204-07 have been installed and made permanently available for that use.</p> <p>Reason: To secure a proper standard of development having regard to policy DM26 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>
10.13	<p><b>Working Hours</b></p> <p>No site clearance or construction works shall take place outside 0800 hours to 1800 hours Mondays to Fridays and 0830 hours to 1300 hours on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.</p> <p>Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework</p>
10.14	<p><b>Unexpected Contamination</b></p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 11 of the Lewes District Local Plan and the National Planning Policy Framework.</p>
10.15	<p><b>Permitted Development Restrictions</b></p> <p>Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 and Part 2 of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.</p> <p>Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>
10.16	<p><b>Soft landscaping</b></p>

	<p>A detailed scheme of soft and hard landscape works, including tree/hedge and shrub planting, shall be submitted to and approved in writing by the Council and shall be implemented in accordance with the approved details.</p> <p>This landscaping plan should be designed with the relation to Broyle Close in mind and the plants/shrubs should be set back from the street to allow unimpeded visibility spays for vehicles exiting onto Broyle Close. The submitted landscaping plan will be required to demonstrate this relation and continuously maintain this unimpeded sight line.</p> <p>If within a period of five years from the date of the planting, any tree, or any tree planted in replacement for it, is removed, uprooted destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.</p> <p>Reason: To enhance the general appearance of the development and to protect residential amenity and highways safety having regard to Policy ST3 and policies CP10 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>
10.17	<p><b>Tree Protection</b></p> <p>No development shall take place until Tree Protection measures have been implemented, in line with the recommendations in the LLD2088-ARB-DWG-002. These details shall thereafter be retained.</p> <p>Reason: To enhance the general appearance of the development and to protect residential amenity and highways safety having regard to Policy ST3 and policies CP10 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>
10.18	<p><b>Sewer Protection</b></p> <p>Should any sewers be discovered during construction of the development hereby approved works shall cease immediately and Southern Water shall be notified. Works will not be permitted commence from this point until an investigation of the sewers has been undertaken, the sewers ownership has been established and clearance to commence the development has been confirmed in writing by Southern Water.</p> <p>Reason: in order to protect drainage apparatus.</p>
10.19	<p><b>Ecological Enhancements</b></p> <p>Prior to the first occupation of the development hereby approved, ecological enhancement measures must have been implemented, in line with the recommendations in the ECOLOGICAL IMPACT ASSESSMENT -</p>



	<p>LLD2088, LIZARD, dated January 2021. These details shall thereafter be retained.</p> <p>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.</p>
10.20	<p><b>External Lighting</b></p> <p>Prior to the occupation of the development hereby approved, details of all external lighting shall be submitted to an approved in writing by the Council. External lighting should be limited to lights used only for security and safety purposes.</p> <p>Reason: To avoid unacceptable impacts upon the countryside in accordance with DM25.</p>
10.21	<p><b>Compensatory Parking</b></p> <p>Prior to the first occupation of the development hereby details of signage identifying the 4 x compensatory parking bays as being available to the wider public and suitable arrangements to prevent parked cars impeding use of the footpath running along the southern edge of the site (which provided access to the rear of properties on the northern side of Broyle Close) shall be submitted to an approved by the Local Planning Authority and the development thereafter carried out and maintained in accordance with the approved details.</p> <p>Reason: In the interest of accessibility and highway safety in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 113, 114 and 116 of the NPPF.</p>

<b>11.</b>	<b>Plans:</b>
11.1	This decision relates solely to the following plans:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Site Location Plan	03/09/2024	0003 Rev P3
Proposed Site Layout Plan	22/08/2024	9095 P 203 09
Proposed Ground Floor Plan	22/08/2024	9095 P 204 08

Site Elevations

22/08/2024

9095 P 206 08

Site Sections

22/08/2024

9095 P 206 08

