



NEWHAVEN TOWN COUNCIL

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To: Planning and Development Committee **Agenda Item 6.**

Date: 6th May

Contact for this report: Ken Dry - Town Clerk

Subject: **Recent Planning Decisions by Lewes District Council**

LEWES DISTRICT COUNCIL PLANNING DECISIONS

PLANNING APPLICATIONS APPROVED

Conditions for Approved Applications can be found at Appendix 1 of this report.

LW/25/0131 **Llawnroc Wilmington Road Newhaven**
Change of use from existing family home (C3) to children's care home (C3B)

Considered by this committee 25th March 2025. The committee objected to this application for the following reasons:

- *Access through unmade road*
- *Lack of parking*
- *Semi-detached house*

LW/25/0046 **Church Hall Sacred Heart Church Fort Road**
Removal of door and no.3 eaves level windows and replacement windows and doors to the front

Considered by this committee 25th February 2025. The committee had no objection to this application.

LW/25/0042 **47 Court Farm Road Newhaven**
Variation of Condition 1 (Plans) in relation to approval LW/24/0501 to amend approved drawings SK 4 and SK 3A and move extension to allow access to the rear garden

Considered by this committee 25th February 2025. The committee had no objection to this application.

- LW/24/0663** **1 Norton Road Newhaven**
Demolition of existing garage, erection of 1no. dwelling house
- Considered by this committee 26th November 2024. The committee supported this application with the following caveats.*
- *That the garage conversion shall not be used for any trade or business purposes, or as a holiday let, and*
 - *Provision of an electric vehicle charging point.*
- LW/24/0626** **Garage Compound Western Road Newhaven**
Demolition of garage compound and construction of 5no. dwellings
- Considered by this committee 26th November 2024. The committee supported this thoughtful application.*
- LW/24/0689** **Former Newhaven Household Waste Recycling Site Lewes Road**
Change of use to a vehicle storage and EV charging depot, including creation of 16no. parking spaces for electric vehicles with individual EV chargers on existing hard standing, provision of a shipping container for wheelie bin storage, bicycle shed and new electrical installations, replacement of the boundary fence, creation of a footpath to the southern side of the entrance road and additional soft landscaping
- Considered by this committee 26th November 2024. The committee unanimously objected to this application for the following reasons;*
- *Creates an overall high volume of traffic at an already busy complex junction (C7 Mini Roundabout/Valley Road),*
 - *Increased danger in the physical ingress/egress to the site by articulated lorries,*
 - *Impacts of operational noise upon residents at anti-social hours, consisting of staff talking/shouting, vehicular reversing alarms and lighting from the depot and vehicles.*
- LW/25/0220** **117 Court Farm Road Newhaven**
Non-material amendment of application LW/24/0430 to vary condition 3 wording regarding age of residents and numbers of adults present at any one time; to discharge Travel and Management Plan conditions
- Not considered by this committee.*
- LW/25/0078** **20 Kennedy Way Newhaven**
Single storey front infill extension and conversion of lower ground floor with alterations to rear fenestration and removal of rear external steps
- Considered by this committee 25th March 2025. The committee had no objection to this application.*
- LW/24/0779** **10 Rose Walk Close Newhaven**
Single storey rear extension, fenestration alterations and replacement raised terrace
- Not considered by this committee.*
- LW/24/0627** **Garage Compound Valley Road Newhaven**
Demolition of existing garages and replacement with 3no. dwellings

Considered by this committee 26th November 2024. The committee unanimously objected to this application for the following reasons;

- Overdevelopment
- The already existing pressure regarding on-street parking and this being exacerbated every school day given its proximity to Breakwater Academy
- Creating further physical difficulties for emergency vehicle access,
- Impairment of current rear access to Ash Walk,
- Overshadowing of evening sun into rear gardens of adjacent Valley Rd., properties to the east, and
- No provision of electric vehicle charging points, or PV panels for the roof.

PLANNING APPLICATIONS WITHDRAWN

LW/25/0001

30 High Street Newhaven

Change of use from Sui Generis (Takeaway) to C3 (Dwellinghouse) creating 1no. 1 bedroom flat to the rear and change of use from class E (shop) to Sui Generis (Takeaway) relocating existing takeaway kitchen to unit 30a with new extractor unit to rear elevation

PLANNING APPLICATIONS REFUSED

LW/25/0014

Llawnroc Wilmington Road Newhaven

Change of use from existing family home (C3) to children's care home (C2)

Not considered by this committee.

Appendix 1

Planning Conditions for Approved Applications.

LW/25/0131

Llawnroc Wilmington Road Newhaven

The reason(s) for this decision is/are:

1. The change of use of a C3(a) dwellinghouse to a C3(b) children's care home for up to six persons living together as a single household is permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

LW/25/0046

Church Hall Sacred Heart Church Fort Road

Determination under Delegated Powers

No Conditions

LW/25/0042

47 Court Farm Road Newhaven

External Finishes

All external finishes shall be in accordance with the schedule and drawings provided unless where otherwise agreed in writing with Local Planning Authority.

Reason: In the interest of visual amenity and sustainability in accordance with LLP1 policy CP11, LLP2 policy DM25, para. 135 of the NPPF.

PD Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A (with the exception of replacement windows), B, C, D, E, F, G and H of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interests of both visual and residential amenity in accordance with policies DM25 and CP11 of the Lewes District Local Plan Part 1, policy DM25 of the Lewes District Local Plan Part 2, and having regard to the National Planning Policy Framework.

Car Parking

Notwithstanding the approved plans, neither dwelling shall be occupied until sufficient parking and turning space has been provided in accordance with details which have been submitted to and approved by the LPA. These parking areas shall be retained as such thereafter, unless otherwise agreed in writing by the local planning authority. Please note, the smaller dwelling requires one car parking space.

Reason: In the interests of amenity and sustainability and to provide sufficient off-street car parking for the approved development, in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework.

EV Charging Point Details

Prior to the first occupation of the dwelling hereby approved, a minimum of 1 x functioning electric vehicle charging points shall be installed within the car parking area for sole use by the occupants of that dwelling in accordance with details provided on the approved plans and submitted documents. The charging points shall be maintained in operational condition thereafter throughout the lifetime of the development.

Reason: In order to encourage the uptake in ownership of electric vehicles in the interest of controlling emissions in accordance with LLP1 policy CP14, the Electric Vehicle Charging Points Technical Guidance Note and NPPF para. 117.

Cycle Store Details

The development shall not be occupied until full details of the covered and secure cycle store have been submitted to and approved in writing by the Local Planning Authority. The store shall thereafter be retained for that use and shall not be used other than for the parking of cycles associated with residents and visitors to the development hereby permitted.

Reason: To provide alternative travel options and encourage use of alternatives to the use of the private car, in the interests of sustainability having regard to policy CP13 of Lewes District Local Plan and the National Planning Policy Framework.

Bin Store Details

The development shall not be occupied until full details of the bin stores have been submitted to and approved in writing by the Local Planning Authority. The stores shall thereafter be retained for that use.

Reason: In the interests of the amenities of the area, having regard to policy DM26 and guidance within the National Planning Policy Framework.

Surface Water Discharge

All water run-off from the development hereby approved shall be dealt with using rainwater goods and soakaways installed at the host property and no surface water shall be discharged onto any adjoining property, nor shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such.

Reason: To ensure that surface water is dealt with appropriately within the application site and not affect adjoining property by way of localised flooding or encroachment.

Landscaping and BNG

Prior to the occupation of the development hereby approved, a scheme for landscaping and biodiversity enhancements shall be submitted to and approved by the Local Planning Authority. The scheme shall include: -

- a) details of all boundary treatments including fences
- b) details of all proposed planting, including quantity, species, and size
- c) details of enhancements to achieve some biodiversity net gain,

All soft landscaping shall be carried out, at the latest, during the first planting season following the first occupation of the building. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of visual amenity and biodiversity in accordance with LLP1 policies CP10 and CP11 and para. 135 of the NPPF.

LW/24/0663

1 Norton Road Newhaven

The development shall be carried out in accordance with the submitted flood risk assessment (ref February 2025, Flood Risk Assessment Revision C) and the following mitigation measures it details:

- Finished ground floor levels shall be set no lower than 3.18 metres above Ordnance Datum (AOD)
- Finished first floor levels shall be set no lower than 6.02 metres above Ordnance Datum (AOD)
- All sleeping accommodation will be located on the first floor and above

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

3. No development above ground floor slab level shall take place until details of how the development will incorporate measures to reduce carbon energy use, facilitate renewable energy installations, and lower household water consumption have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be put in place prior to the first occupation of the dwelling and shall be retained as such thereafter.

Reason: in order to reduce locally contributing causes of climate change in accordance with Policy CP14 of the Lewes District Local Plan Part One and the NPPF.

Prior to their application, details and photographs of all external materials, including hard surfacing, windows and door frames, boundary treatment and balustrading shall have been submitted to and approved in writing by the Local Planning Authority and the development thereafter carried out in accordance with the approved details.

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 para. 135 the NPPF.

Notwithstanding the submitted details, no development above ground floor slab level shall take place until details of secure parking for at least two cycles, and refuse storage have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles and management of waste are provided and to encourage travel by means other than private motor vehicles in accordance with Policy CP13 of the Lewes Local Plan Part 1 and refuse storage in accordance with Policy DM26 of LLP2. 6. 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.

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, DM25 and DM34 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

LW/24/0626

Garage Compound Western Road Newhaven

Time Limit

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters, as defined in condition 2; to be approved, whichever is the later.

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).

External Materials

Prior to their application, details and photographs of all external materials, including boundary treatment, shall have been submitted to and approved in writing by the Local Planning Authority and the development thereafter carried out in accordance with the approved details.

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 para. 135 the NPPF.

Obscure Glazing Prior to the first occupation of the dwellings hereby permitted all first-floor windows in the front elevations, annotated as being obscurely glazed on the approved plans shall be fitted with obscure glazing. The windows shall be permanently retained as such thereafter.

Reason: In order to prevent intrusive overlooking of neighbouring properties in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF.

No Additional Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order or revoking and re-enacting that order with or without modification), no windows or other openings (other than those shown on the plans hereby approved) shall be formed above ground floor level in the side elevations of the dwellings hereby approved without the prior permission of the Local Planning Authority pursuant to an application for the purpose.

Reason: To protect the amenities of adjoining residential properties in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF.

Permitted Development Restriction

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 buildings, structures or works as defined within Part 1 of Schedule 2, classes A to E 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 prevent an over-intensive use of the site in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF.

Surface Water Drainage

Notwithstanding the approved plans, prior to the commencement of any construction works suitable arrangements shall be put into place to prevent the discharge of surface water from the site onto neighbouring land, including the public highway, with these arrangements maintained in place throughout the construction phase. Prior to the first occupation of the development hereby approved, full details of surface water drainage infrastructure, including capacity of attenuation tanking and confirmation of discharge rates to the surface water sewer (with evidence of connection agreement with Southern Water), shall be provided along with evidence in the form of photographs and documentation to confirm the drainage infrastructure has been installed in accordance with those details. The surface water drainage system shall be retained as approved thereafter.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22, and para. 161 and 181 of the NPPF

Drainage Maintenance and Management

Notwithstanding the approved plans, prior to the commencement of any development, a maintenance and management plan for the entire drainage system should be submitted to and approved by the local planning authority in conjunction with the Lead Local Flood Authority in order to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following: a) Clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, interceptors and the appropriate authority should be satisfied with the submitted details. b) Provide evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 161 and 181 of the NPPF.

Foul Drainage

Notwithstanding the approved plans, prior to the first occupation of any part of the development foul drainage arrangements shall be in place and confirmation of a connection agreement for access to the public sewer system, issued by Southern Water, shall be provided to the Local Planning Authority.

Reason: In order to ensure drainage is managed correctly and surrounding water bodies are protected from pollution in accordance with LLP1 policies CP10 and CP12, LLP2 policy DM22 and paras. 161, 196 and 198 of the NPPF.

Site Access

Prior to the first occupation of the development hereby approved, the site access shall be installed in accordance with the approved plans.

Reason: To ensure the safety of persons and vehicles entering and leaving the access in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 117 of the NPPF.

Parking and Turning

Prior to the first occupation of the development parking and turning areas shall be provided in accordance with the approved plans and shall be retained thereafter for that use only. All parking bays shall be provided with an operable electric vehicle charging point prior to the first occupation of any of the dwellings.

Reason: To provide adequate space for the parking and turning of vehicles in the interest of highway safety in maintaining the free flow of traffic in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 117 of the NPPF.

Cycle Parking and Bin Storage

The development shall not be occupied until secure and covered cycle and bin storage facilities for use by the occupants of each dwelling have been provided in accordance with plans and details which have been submitted to and approved in writing by the Planning Authority. The approved facilities shall thereafter be retained for the approved uses only.

Reason: In order that the development site is accessible by non- car modes, to control environmental impact and pollution and to meet the objectives of sustainable development in accordance with LLP1 policies CP11 and CP13, LLP2 policies DM20 and DM25 and para. 117 and 196 of the NPPF.

Hard and Soft Landscaping

Notwithstanding the approved plans, prior to the occupation of the development hereby approved, a scheme for landscaping shall be submitted to and approved by the Local Planning Authority. The scheme shall include: - a) Details of all hard surfacing, including materials, permeability, kerbs, edges, steps. b) Details of all boundary treatments. c) Details of all proposed planting, including quantity, species, and size d) Details of biodiversity enhancements and measures. e) Street furniture including bollards and railings. All soft landscaping shall be carried out, at the latest, during the first planting season following the first occupation of the building. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of comparable size and species. All hard surfacing and boundary treatment shall be in place prior to the first use of the site and retained in place thereafter.

Reason: In the interest of visual amenity and biodiversity in accordance with LLP1 policies CP10 and CP11, LLP2 policy DM24 and DM27 and para. 135 and 185 of the NPPF.

Sustainability

Prior to the first occupation of any part of the development, full details of all sustainability measures to be provided as part of the development, following the principles set out in the submitted Energy and Sustainability Strategy, shall be submitted to, and approved by the Local Planning Authority and the development carried out and maintained in full accordance with the approved details.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with LLP1 policy CP14, LLP2 policy DM20 and para. 161 of the NPPF.

Secured by Design

Prior to the first occupation of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Sussex Police Designing Out Crime Officers. Once approved, the development shall be carried out in accordance with the agreed details.

Reason: In order to ensure existing and future occupants live in a safe environment in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF

DCEMP

Prior to commencement of development, including any ground and demolition works, a Demolition Construction and Environmental Management Plan (DCEMP) shall be 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 demolition/construction period. The Plan shall provide details as appropriate, which shall address but not be restricted to the following matters:

- sequence and schedule of demolition phases.
- the anticipated number, frequency and types of vehicles used during development.
- the method of access and egress and routing of vehicles during development.
- parking of vehicles by site operatives and visitors.
- loading and unloading of plant, materials and waste.
- method of removing material from the site, including special measures for hazardous material.
- times of any deliveries related to the development, which should avoid peak travel times.
- photographic survey of the condition of the surrounding highway.
- storage of plant and materials,
- erection and maintenance of any security hoarding.
- provision and operation of wheel washing facilities or any other works required to mitigate the impact of development upon the public highway (including the provision of temporary Traffic Regulation Orders).
- measures to manage the impact upon local air quality.
- air quality monitoring. • confirmation of no burning of materials on site.
- operating hours.
- anticipated timescales for completion of the works.
- measures to manage flood risk during construction; and
- public notification, including site notices with public contact details during the works.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to LLP1 Policy CP11, LLP2 policies DM20 and DM21 and para. 135 and 196 of the NPPF.

Land 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:

- a) 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.
- b) The results of the site investigation and the detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority.

The scheme shall be implemented as approved.

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 LLP2 policies DM20 and DM21 and para. 196 and 198 of the NPPF.

Verification Report

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 any remediation, if deemed necessary, is satisfactorily completed in accordance with LLP2 policies DM20 and DM21 and para. 196 and 198 of the NPPF.

Asbestos Survey

The buildings to be demolished may contain asbestos. Accordingly, prior to demolition, a Demolition asbestos survey should be undertaken by a competent person in accordance with the current guidance and practice. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos.

Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors having regard to LLP2 policy DM21 and para. 196 and 198 of the NPPF

Unexpected 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 prevent hazard and environmental damage as a result of contamination in accordance with LLP2 policies DM20 and DM21 and para. 198 of the NPPF.

Flat Roof

The flat roof of the dwellings, hereby approved, shall not at any time be used for sitting out, as an amenity area or for any other purpose other than that of an emergency or for maintenance.

Reason: To protect the amenities of adjoining residential properties in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF

Porous Materials

Notwithstanding the approved plans, all ground surfaces of the development, hereby approved, shall be constructed in porous materials or shall discharge surface water onto porous areas within the application site and shall remain as such for the lifetime of the development. No surface water shall be discharged onto the public highway or adjoining land.

Reason: To ensure that surface water is dealt with appropriately within the application site and not affect the public highway or adjoining properties.

EV Charging

Prior to the first occupation of the development hereby permitted, details of electric charging facilities, including their number, specification and location, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be implemented in accordance

with the details approved prior to first use of the development, hereby approved, and retained as such thereafter for the lifetime of the development.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

PEA and Bat Emergence Survey

All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Assessment (PJC, 22/08/23 Ref 5236E-9/23/01) and Bat Emergence Survey Report (PJC, 31/10/23, Ref 5321E5/23/01) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, to avoid an offence under the Wildlife and Countryside Act 1981, as amended, and The Conservation of Habitats and Species Regulations 2017, as amended, and to provide a net gain for biodiversity as required by paragraphs 180 and 186 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

External lighting - during construction

Prior to commencement of development a scheme of lighting during construction designed to minimise the impacts on wildlife, particularly avoiding light spill into the adjacent tree belts and potential bat flight lines, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented.

Reason: In order to minimise impacts of lighting on the ecological interest of the site. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

Bat boxes

Prior to the first occupation of the development hereby permitted, details of Bat boxes, including their design, number and location on the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the boxes shall be installed in accordance with the details approved and retained as such thereafter.

Reason: For the protection of existing on-site bat populations and the provision of future habitats.

Removal of trees or hedgerows

No removal of trees or hedgerows on the site shall take place between the 1st March and 31st August inclusive in any year unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that birds and bat species are protected and their habitats enhanced, in accordance with the Wildlife and Countryside Act 1981 and the NPPF.

LW/24/0689

Former Newhaven Household Waste Recycling Site Lewes Road

The development shall not be occupied until parking 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 vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 117 of the NPPF.

The development shall not be occupied until cycle parking area has been provided in accordance with the approved amended plans, with storage facilities being secure and covered, and the area 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 and to meet the objectives of sustainable development in accordance with LLP1 policy CP13 and para. 117 of the NPPF.

The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved amended plans 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 in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 117 of the NPPF.

Prior to the first use of any part of the development hereby approved, a maintenance and management plan for the entire drainage system should be submitted to and approved by the local planning authority in conjunction with the Lead Local Flood Authority in order to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:

- a) Clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, interceptors and the appropriate authority should be satisfied with the submitted details.
- b) Provide evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 181 of the NPPF.

The development shall be carried out in accordance with the submitted flood risk assessment (ref - 62467 Issue No 4).

- The Finished Floor Level of the 20ft container would be raised to 4.55m AOD or 200mm above ground level to provide protection in the event of flooding at the Site.
- Mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and maximise the safety of future occupants in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 181 of the NPPF.

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,

- The anticipated number, frequency and types of vehicles used during construction,
- The method of access and egress and routing of vehicles during construction,
- Measures to control noise, dust, and light emissions during works.
- Measures to prevent discharge of dirt/mud onto the public highway
- Measures to prevent flood risk both on and off-site during construction works.
- Site waste management plan
- Parking arrangements for site operatives and visitors
- The loading and unloading of plant, materials, and waste,
- Details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils, and fuel.
- Details of any external lighting.

- The erection and maintenance of security hoarding,
- 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),
- Precautionary measures to protect wildlife in compliance with the recommendations of the submitted Preliminary Ecological Appraisal.
- Details of public engagement both prior to and during construction works.
- Construction Hours

Reason: In the interests of highway safety and the amenities of the area in accordance with LLP1 policies CP10 and CP12, LLP2 policies DM20, DM22, DM23 and DM25 and para. 135 and 198 of the NPPF.

Prior to the occupation of the development hereby approved, a scheme for landscaping shall be submitted to and approved by the Local Planning Authority. The scheme shall include: -

- a) Details of all hard surfacing
- b) Details of all boundary treatments
- c) Details of all proposed planting, including quantity, species, and size
- d) Details of protection measures for existing trees/hedgerow
- e) Details of biodiversity enhancements and measures to limit impact upon adjoining wildlife site

All soft landscaping shall be carried out, at the latest, during the first planting season following the first occupation of the building. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

All hard surfacing and boundary treatment shall be in place prior to the first use of the site and retained in place thereafter.

Reason: In the interest of visual amenity and biodiversity in accordance with LLP1 policies CP10 and CP11, LLP2 policy DM24 and DM27 and para. 135 and 185 of the NPPF.

Prior to the first occupation of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Sussex Police Designing Out Crime Officers. Once approved, the development shall be carried out in accordance with the agreed details.

Reason: In order to ensure existing and future occupants live in a safe environment in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF

No vehicles, plant or machinery shall be operated, no process carried out, no deliveries taken or dispatched from the site and no staff should be present on the site outside the following hours:-

Monday to Friday 06:00 - 17:00

Reason: In the interest of residential and environmental amenity in accordance with LLP1 policy CP11, LLP2 policies DM20 and DM23 and para. 198 of the NPPF.

Prior to the first use of the development hereby approved, an operational management and maintenance plan addressing, but not limited to, the following information:-

- Noise and Lighting controls
- Delivery Management
- Measures to ensure accessibility to adjacent car park is maintained
- Sanitation

- Maintenance works
- Staff training
- Site manager details

Shall be submitted to and approved by the Local Planning Authority and, thereafter, adhered to at all times.

Reason: In the interest of residential and environmental amenity in accordance with LLP1 policy CP11, LLP2 policies DM20 and DM23 and para. 198 of the NPPF.

Within 6 months of the first use of the development hereby permitted, details of a scheme for the decommissioning and restoration of the site in the event of the cessation of the approved use shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented within 12 months from the cessation of the approved use of the site unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure appropriate restoration of the site in the interests of amenity and the future use of the land, in accordance with LLP1 policies CP10 and CP11, LLP2 policies DM24 and DM25 and para.135 of the NPPF.

All existing external lighting shall be removed prior to the first use of the development hereby approved. Replacement lighting shall be installed in accordance with details to be submitted to and approved by the Local Planning Authority which must include further information on the angling of lights to reduce light spill in accordance with recommendations made in the Institute of Lighting Professionals Guidance Note 01/20

No additional external lighting shall be installed without the prior written approval of the Local Planning Authority.

The site shall only be illuminated at those times of the year when illumination is necessary for site operations and in any case only within the site operating hours specified in condition 9 other than any motion-sensor security lights that are deemed necessary to comply with condition 8.

Reason: In the interest of residential and environmental amenity in accordance with LLP1 policy CP11, LLP2 policies DM20 and DM23 and para. 187 of the NPPF.

Prior to the first occupation of the use hereby approved, full details of the LV cabinet, substation and cycle store to be stationed on site shall be submitted to and approved by the Local Planning Authority and the development maintained in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF.

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 potential for contamination is appropriately assessed and suitable mitigation measures are in place to prevent environmental harm in accordance with LLP2 policies DM20 and DM21 and para. 198 of the NPPF.

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 suitable remediation works are carried out, where required, in order to prevent environmental harm in accordance with LLP2 policies DM20 and DM21 and para. 198 of the NPPF.

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 prevent hazard and environmental damage as a result of contamination in accordance with LLP2 policies DM20 and DM21 and para. 198 of the NPPF.

LW/25/O220

117 Court Farm Road Newhaven

Approved as a Non-material minor amendment

The wording of conditions 2, 3 and 4 as attached to LW/24/0430 is modified as follows:-

2. The approved use shall be operated in adherence with the approved Management Plan at all times throughout the lifetime of the use.

Reason: To minimise the impact of the use on the wider residential area in which it is located, in accordance with LLP1 policy CP11 and LLP2 policies DM20, DM23 and DM25 and para. 135 and 180 of the NPPF.

3. The care facilities hereby approved site shall be provided for a maximum of two resident primary aged children (4-15 years old). No more than 3 members of staff shall be present on the site at any one time (excluding shift changeovers and staff meetings to be held at a maximum frequency of once per fortnight).

Reason: In order to prevent an over intensive use of the site in the interest of the amenities of neighbouring residents in accordance with LLP1 policy CP11, LLP2 policies DM20, DM23 and DM25 and para. 135 and 180 of the NPPF. Reason: In order to prevent an over intensive use of the site in the interest of the amenities of neighbouring residents in accordance with LLP1 policy CP11, LLP2 policies DM20, DM23 and DM25 and para. 135 and 180 of the NPPF.

4. The approved Parking Management Plan shall be adhered to at all times in the operation of the approved use.

Reason: In order to prevent unacceptable obstructions and hazards to pedestrians and motorists, to promote sustainable transport modes and in the interest of amenities in accordance with LLP1

the first occupation of the development hereby approved, full details of surface water drainage infrastructure, including capacity of attenuation tanking and confirmation of discharge rates to the surface water sewer (with evidence of connection agreement with Southern Water), shall be provided along with evidence in the form of photographs and documentation to confirm the drainage infrastructure has been installed in accordance with those details. The surface water drainage system shall be retained as approved thereafter.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22, and para. 161 and 181 of the NPPF

Prior to the commencement of any development, a maintenance and management plan for the entire drainage system should be submitted to and approved by the local planning authority in conjunction with the Lead Local Flood Authority in order to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following: a) Clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, interceptors and the appropriate authority should be satisfied with the submitted details. b) Provide evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: In order to ensure surface water is managed effectively in accordance with LLP1 policy CP12, LLP2 policy DM22 and para. 161 and 181 of the NPPF.

Prior to the first occupation of any part of the development foul drainage arrangements shall be in place and confirmation of a connection agreement for access to the public sewer system, issued by Southern Water, shall be provided to the Local Planning Authority.

Reason: In order to ensure drainage is managed correctly and surrounding water bodies are protected from pollution in accordance with LLP1 policies CP10 and CP12, LLP2 policy DM22 and paras. 161, 196 and 198 of the NPPF.

Prior to the first occupation of the development hereby approved, the site access, including the dropped kerb crossover, shall be installed in accordance with the approved plans and the existing dropped kerb access stopped up and restored to a footway in accordance with ESCC Highway standards.

Reason: To ensure the safety of persons and vehicles entering and leaving the access in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 117 of the NPPF.

Prior to the first occupation of the development parking and turning areas shall be provided in accordance with full details to be submitted to and approved by then Local Planning Authority and shall be retained thereafter for that use only. Parking provided shall not be allocated to any property and shall be available for use by all. All parking bays shall be provided with an operable electric vehicle charging point prior to the first occupation of any of the dwellings.

Reason: To provide adequate space for the parking and turning of vehicles in the interest of highway safety in maintaining the free flow of traffic in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 117 of the NPPF.

The development shall not be occupied until secure and covered cycle and bin storage facilities for use by the occupants of each dwelling have been provided in accordance with plans which have been submitted to and approved in writing by the Planning Authority. The approved facilities shall thereafter be retained for the approved uses only. Cycle stores shall include capacity to accommodate cargo bikes.

Reason: In order that the development site is accessible by non- car modes, to control environmental impact and pollution and to meet the objectives of sustainable development in

accordance with LLP1 policies CP11 and CP13, LLP2 policies DM20 and DM25 and para. 117 and 196 of the NPPF.

Prior to the occupation of the development hereby approved, a scheme for landscaping shall be submitted to and approved by the Local Planning Authority. The scheme shall include: -

- a) Details of all hard surfacing;
- b) Details of all boundary treatments;
- c) Details of all proposed planting, including quantity, species, and size
- d) Details of biodiversity enhancements and measures;

All soft landscaping shall be carried out, at the latest, during the first planting season following the first occupation of the building. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All hard surfacing and boundary treatment shall be in place prior to the first use of the site and retained in place thereafter.

Reason: In the interest of visual amenity and biodiversity in accordance with LLP1 policies CP10 and CP11, LLP2 policy DM24 and DM27 and para. 135 and 185 of the NPPF.

Prior to the commencement of any development, including site clearance and demolition, at least two bat emergence and re-entry surveys must be undertaken on the site between May and August inclusive. The results of these surveys must be provided to the Local Planning Authority and any recommendations made in the report, including any requirement for a Mitigation Licence to be issued by Natural England prior to the commencement of works, shall be adhered to in full.

Reason: To ensure that the development does not cause harm to protected species in accordance with LLP1 policy CP10 and para. 192 of the NPPF.

Prior to the first occupation of any part of the development, full details of all sustainability measures to be provided as part of the development, following the principles set out in the submitted Energy and Sustainability Strategy, shall be submitted to, and approved by the Local Planning Authority and the development carried out and maintained in full accordance with the approved details.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with LLP1 policy CP14, LLP2 policy DM20 and para. 161 of the NPPF.

Prior to the first occupation of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Sussex Police Designing Out Crime Officers. Once approved, the development shall be carried out in accordance with the agreed details.

Reason: In order to ensure existing and future occupants live in a safe environment in accordance with LLP1 policy CP11, LLP2 policy DM25 and para. 135 of the NPPF

No external lighting shall be installed on buildings or within the development site other than in accordance with a lighting strategy which is to be submitted to and approved by the Local Planning Authority prior to installation.

Reason: In order to protect the amenities of neighbouring residents and foraging habitat for bats in accordance with LLP1 policy CP11, LLP2 policies DM24 and DM25 and para. 135 and 192 of the NPPF.

No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period.

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

- the anticipated number, frequency and types of vehicles used during construction,
- confirmation that deliveries will be timed to avoid peak traffic hours on local roads and school opening and closing times;
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;
- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.
- construction hours

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to LLP1 Policy CP11, LLP2 policies DM20 and DM21 and para. 135 and 196 of the NPPF.

18. 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:

- a) 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.
- b) The results of the site investigation and the detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

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 LLP2 policies DM20 and DM21 and para. 196 and 198 of the NPPF.

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 any remediation, if deemed necessary, is satisfactorily completed in accordance with LLP2 policies DM20 and DM21 and para. 196 and 198 of the NPPF.

The building to be demolished may contain asbestos. Accordingly, prior to demolition, a Demolition asbestos survey should be undertaken by a competent person in accordance with the current guidance and practice. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos.

Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors having regard to LLP2 policy DM21 and para. 196 and 198 of the NPPF.

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 prevent hazard and environmental damage as a result of contamination in accordance with LLP2 policies DM20 and DM21 and para. 198 of the NPPF.

No part of the development shall be occupied until a Travel Plan Statement (which includes details of a travel plan pack for each resident) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway Authority and shall promote the use of sustainable modes of transport.

Reason: To reduce reliance on car ownership and promote the use of sustainable modes of transport in accordance with LLP1 policies CP11 and CP13, LLP2 policy DM25 and para. 115 and 117 of the NPPF