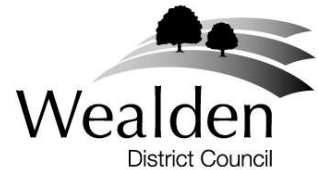


Town and Country Planning Act 1990

Notice of Decision

Application No. **WD/2022/0294/MAO**



Batcheller Monkhouse
1 London Road
Tunbridge Wells
Kent
TN1 1DH

Council Offices
Vicarage Lane
Hailsham
East Sussex
BN27 2AX

DESCRIPTION AND LOCATION OF DEVELOPMENT

**OUTLINE APPLICATION (WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS FROM NEW ROAD) FOR UP TO 360 DWELLINGS, SPORTS PITCHES, ALLOTMENTS, OPEN SPACE, NEW INTERNAL ACCESS ROADS AND FOOTPATHS, CAR PARKING, SUSTAINABLE URBAN DRAINAGE SYSTEMS, AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND EARTHWORKS.
LAND AT PARK FARM EAST, NEW ROAD, HELLINGLY**

With reference to the proposals set out in the application numbered as above and shown on the plans submitted therewith, Wealden District Council, in pursuance of powers under the Town and Country Planning Act 1990 (as amended), hereby **GRANTS PLANNING PERMISSION** for the said proposals, subject to the conditions stated below imposed for the reasons stated thereunder:-

1. Permission is granted subject to the subsequent approval by the Local Planning Authority of the detailed particulars of the layout, scale and appearance of the buildings to which this permission relates, and the landscaping of the site before any development is commenced, such matters being reserved from the permission. STD1A

REASON: To meet the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. (a) Application for approval of the matters reserved for subsequent approval must be made to the Local Planning Authority no later than the expiration of three years beginning with the date of the grant of this outline permission; and
(b) The development to which this permission relates must be begun no later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To meet the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be carried out in general accordance with the following approved plans: Dwg edp3718_d032m Indicative Land Use, Access and Movement Parameter Plan and Dwg edp3718_d051L-Illustrative Masterplan.

REASON: To enable the Local Planning Authority to regulate and control the development of land having regard to Policy WCS12, WCS13 and WCS14 of the Wealden Core Strategy 2013 and Saved Policies EN13 and EN27 of the Wealden Local Plan 1998.

4. Prior to commencement of development a phasing plan shall be submitted for approval to the Local Planning Authority. This shall include the phasing for the various elements of the development, including associated infrastructure. Unless otherwise agreed in writing

by the Local Planning Authority, the development of the site shall be carried out in accordance with the approved phasing plan.

REASON: To enable the Local Planning Authority to regulate and control the development of land having regard to SPO15 and Policy WCS7 of the Wealden Core Strategy 2013 and Saved Policy CS1 of the Wealden Local Plan 1998.

5. Prior to development of each Phase the applicant shall secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted to and approved in writing by the Local Planning Authority. AR01

REASON: To enable the recording of any items of historical or archaeological interest, in accordance with the requirements of SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013.

6. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition 5.

REASON: To enable the recording of any items of historical or archaeological interest, in accordance with the requirements of SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013.

7. For each phase of development, no enabling work (including vegetation clearance, demolition or below ground level work) shall be carried out on site until, full written details for a Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Code of Construction Practice (COCP) shall provide for:
 - a) An indicative programme for carrying out the works;
 - b) Measures for protection of retained features and surface water bodies on or adjacent to the site with specific regard to the protection of the Pevensey Levels.
 - c) A scheme for the control of noise and dust which shall accord with British Standard ' BS5228-1: 2009 +A1:2014- Code of practice for noise and vibration control on construction and open sites;
 - d) Management of traffic visiting the site including the anticipated number, frequency and types of vehicles used during construction, the times of delivery and collections and measures necessary to ensure highway safety.,
 - e) The method of access, including temporary access points, on-site turning egress and routeing of vehicles, temporary parking or holding areas;
 - f) The parking of vehicles by site operatives and visitors,
 - g) The loading, unloading and storage of plant, materials and waste,
 - h) 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),
 - i) Measures to minimise the potential for pollution of groundwater and surface water;
 - j) Details of measures to manage flood risk, both on and off the site during construction;
 - k) The location and design of security hoardings, site offices and storage compounds; and
 - l) The arrangements for public consultation and liaison during the construction works.

The approved COCP shall be adhered to in full throughout the construction period.

No bonfires are permitted during site clearance or construction.

REASON: In the interests of and for the safety of persons and vehicles on the site and/or adjoining road and to minimise loss of amenity to adjoining properties and minimise potential for environmental impact having regard to Policy WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policies EN27 and TR3 of the adopted Wealden Local Plan 1998.

8. During the construction and demolition phases of the development, no works shall take place other than within the hours of Monday to Friday 0800 to 1800 hours, Saturday 0800 to 1300 and no works on Sundays, Public or Bank Holidays.

Construction deliveries shall take place between 08:00 to 18:00 Monday to Friday only, but not at any time during the peak school hours of between 08:00 to 09:00 and 14:30 to 16:00 and not at all on Saturdays, Sundays, Public or Bank Holidays.

REASON: To protect residential amenity, having regard to Saved Policy EN27 of the adopted Wealden Local Plan.

9. Prior to commencement of the development, a detailed scheme shall be submitted in writing to the Local Planning Authority for approval which outlines the glazing and ventilation specifications that shall be installed in the buildings across the development to ensure that the recommended thresholds for indoor ambient noise levels, taken from; British Standard: BS 8233:2014, table 4, guidance on sound insulation and noise reduction for buildings, are met. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

REASON: To protect residential amenity, having regard to Spatial Planning Objective SPO13 and Policy WCS14 of the Wealden Core Strategy Local Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

10. Before the development commences, a noise mitigation scheme to protect the future occupants of the proposed development where external amenity areas will exceed the upper daytime (07:00-23:00 hrs) noise level of 55 dB LAeq,16hr, as outlined in WHO Community Noise Guidelines and incorporated into BS8233:2014, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail the height and acoustic performance of any proposed barrier and be installed and maintained for the life of the development.

REASON: To protect residential amenity, having regard to Spatial Planning Objective SPO13 and Policy WCS14 of the Wealden Core Strategy Local Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

11. Prior to the commencement of the development an assessment in accordance with the guidance in 'Acoustics, Ventilation and Overheating – Residential Design Guide' (AVO), 2020 published by Acoustics & Noise Consultants (ANC) and Institute of Acoustics (IOA), shall be submitted to and approved in writing by the Local Planning Authority. If the assessment recommends an overheating mitigation scheme the approved scheme shall be implemented before the first occupation of any dwelling and shall be retained thereafter.

REASON: To protect residential amenity, having regard to Policy EN27 of the Wealden Local Plan 1998.

12. Prior to commencement of development, the applicant shall submit proposals for air quality mitigation measures to reduce the air quality impacts of road traffic emissions equal to the total damage costs identified in the RPS 'Air Quality Addendum' report (their Job Number: JAR10116, Rev 0, 21 June 2022) or subsequent update. Specific mitigation must be approved in writing by the Local Planning Authority in the form of a mitigation statement that includes the elements required by the guidance document.

REASON: To protect residential amenity, having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

13. Prior to works below ground level an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) web pages

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>. CL01

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 off-site receptors, having regard to Spatial Planning Objectives SPO2, SPO12 and SPO13, and Policy WCS14 of the Wealden Core Strategy Local Plan 2013.

14. Prior to works below ground level a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. CL02

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 off-site receptors, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013.

15. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks' written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. CL03

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 off-site receptors, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 13 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 14, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 15. CL04

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 off-site receptors, having regard to Spatial Planning Objectives SPO2, SPO12 and SPO13, and Policy WCS14 of the Wealden Core Strategy Local Plan 2013.

17. No development shall be occupied until confirmation has been provided that either all sewage works upgrades required to accommodate the additional flows from the development has been completed; or a development and infrastructure-phasing plan has been agreed with the Local Planning Authority to allow development to be occupied. The sewage upgrade works shall include any measures necessary to ensure the development prevents increased pollution and/or increased storm water overflow spills at the relevant Waste Water Treatment Works. Where a development and infrastructure-phasing plan is agreed no occupation shall take place other than in full accordance with the agreed development and infrastructure phasing plan. DF02(M)

REASON: To ensure a satisfactory standard of development, having regard to SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the adopted Wealden Local Plan 1998.

18. The development shall be carried out in accordance with the submitted flood risk assessment (FRA, ref HLEF79212/2, date stamped 15 February 2022 & Technical Note:

AAA5630E/Rev2 date stamped 12 July 2022) and the following mitigation measures it details:

- (i) All residential development is located within Flood Zone 1 as per Section 6.5 of the FRA.

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. FR03(M)

REASON: To prevent the increased risk of flooding, having regard to Spatial Planning Objectives SPO2, SPO10, SPO12 and SPO13, and Policy WCS14, of the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the Wealden Local Plan 1998.

- 19. No works below ground level shall take place until details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable, have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage shall be provided in accordance with the approved details before first occupation of the development.

The detailed surface water drainage drawings and calculations shall include the following:

- (i) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to the mean annual run-off (Q_{bar}) for all rainfall events including those with a 1 in 100 (plus climate change) annual probability of occurrence. An allowance for urban creep (recommended 10% increase in permeable areas) shall be incorporated within the calculations. The calculations shall demonstrate that the system can half drain within 24 hours. A sensitivity testing of the 45% climate change allowance shall also be undertaken.
- (ii) The detailed design of the surface water attenuation structures (ponds) shall be informed by findings of groundwater monitoring between autumn and spring. The design shall leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. In the event this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system shall be provided.
- (iii) Evidence that the hydraulic model on which the fluvial flood plain extents are based has been reviewed and approved by the Environment Agency. Evidence is required that the south-western attenuation pond (Basin 3) is outside Flood Zones 2 and 3.
- (iv) Detailed design for the attenuation pond outfalls showing that these can discharge whatever the water level in the Hurst Haven main river.
- (v) Provision of interception swales along the south-western boundary of the site to ensure that overland surface water run-off from the application site does not increase flood risk to New Road.
- (vi) Details of the measures proposed to manage exceedance flows which shall include details of how the existing overland surface water flows have been intercepted and managed. All interception swales shall be located in

communally managed land and will not be the responsibility of single householder.

REASON: In order to secure a satisfactory standard of development, having regard to SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the adopted Wealden Local Plan 1998.

20. Prior to the construction of the outfalls, a survey of the condition of the watercourses within the site boundary. which will take surface water run-off from the development shall be investigated. Results of the survey and any required improvements to the condition of the receiving watercourses shall be submitted to and approved in writing by the Local Planning Authority. The improvements shall be completed in accordance with the approved details prior to receiving surface water discharge from the development.

REASON: In order to secure a satisfactory standard of development, having regard to SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the adopted Wealden Local Plan 1998.

21. Prior to occupation of any dwelling within a phase of the development, evidence (including as built drawings and photographs) shall be submitted showing that the associated surface water drainage system for that phase of development has been constructed in full accordance with the final approved detailed drainage designs.

REASON: In order to secure a satisfactory standard of development, having regard to SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the adopted Wealden Local Plan 1998.

22. A maintenance and management plan for the entire drainage system shall be submitted to the local planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance.

The management plan shall cover the following:

- a. Who will be responsible for managing all aspects of the surface water drainage system, including piped drains; and
- b. Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.

These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.

REASON: In order to secure a satisfactory standard of development, having regard to SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the adopted Wealden Local Plan 1998.

23. Prior to commencement of development detailed bridge design drawings shall be submitted to and approved in writing by the Local Planning Authority. The bridge shall be constructed in accordance with the approved details before completion of the development.

REASON To ensure the protection of the Hurst Haven and prevent an increased risk of flooding having regard to Policy CS2 of the Wealden Local Plan 1998.

24. No development shall be occupied until the vehicular access serving the development has been constructed in accordance with the approved drawing no 50399/5504/001 B as amended as part of the s278 agreement and detailed design. HW08(M)

REASON: In the interests of and for the safety of persons and vehicles using the premises and/or the adjoining road, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy TR3 of the adopted Wealden Local Plan 1998.

25. Sight lines with a visibility splay of 2.4m by 120m shall be provided each side of the access, within which there shall be no obstruction to visibility above a height of 600mm above each carriageway level. No gates, fences or walls shall be constructed within the sight lines/visibility splay. HW16

REASON: In order to provide visibility for vehicles entering and leaving the site In the interests of and for the safety of persons and vehicles using the development and the adjoining road having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy TR3 of the adopted Wealden Local Plan 1998.

26. No works below ground level shall take place until detailed plans, including levels, sections and constructional details of the proposed roads, surface water drainage, foul sewers and any street lighting have been submitted to and approved in writing by the Local Planning Authority, and such work as approved shall be carried out at the time of the development and thereafter so retained. HW02

REASON: In the interests of and for the safety of persons and vehicles using the premises and/or the adjoining road, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy TR3 of the adopted Wealden Local Plan 1998.

27. Before preparation of any groundworks and foundations of the development hereby approved details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly to prevent the discharge of surface water from the highway onto the site, including a programme for its implementation, shall be submitted to the Local Planning Authority for approval The scheme shall be implemented in accordance with the approved details and programme and retained thereafter.

REASON: To avoid the risk of flooding and in the interests of and for the safety of persons and vehicles using the site and New Road having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the adopted Wealden Local Plan 1998.

28. Parking spaces shall measure at least 2.5m by 5m (with an extra 50cm added on each side where spaces abut walls, fences or hedges). Car parking and turning areas shall be provided prior to the occupation of the associated dwellings and thereafter retained to the satisfaction of the Local Planning Authority.

REASON: To ensure an adequate and satisfactory standard of parking provision, having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policies EN27 and TR16 of the adopted Wealden Local Plan 1998.

29. Cycle storage shall be provided in accordance with East Sussex County Council's adopted standards. Driveways or parking spaces providing access to cycle parking shall be at least 3.5m wide. The cycle storage and access shall be provided prior to the occupation of the associated dwellings and thereafter retained. PC03

REASON: To provide for alternative modes of transport, having regard to Spatial Planning Objectives SPO13 and Policy WCS14 of the Wealden Core Strategy Local Plan 2013 and Saved Policies EN27 and TR16 of the Wealden Local Plan 1998

30. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior the first occupation of any of the dwellings hereby permitted of the development. The content of the LEMP shall include the following:
- a) description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions, together with a plan of management compartments;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
 - g) details of the body or organisation responsible for implementation of the plan; and
 - h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details for the lifetime of the development.

REASON: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policies EN14 and EN27 of the Wealden Local Plan 1998.

31. Prior to commencement of works within the Hurst Haven area, updated ecological surveys shall be undertaken in relation to protected species. The findings of the surveys and any additional mitigation measures proposed and timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details and timetable for implementation. NC06

REASON: To identify and ensure the survival and protection of important species and those protected by legislation, including water vole, reptiles, bats, great crested newts and hazel dormouse that could be adversely affected by the development, having regard to SPO1, SPO2, WCS12 and WCS14 to the Wealden Core Strategy Local Plan 2013.

32. Before preparation of ground levels for development approved a wildlife management plan shall be submitted and approved, to include as appropriate detailed proposals for the protection of bats, birds, reptiles, hazel dormice and badgers, and measures for the mitigation of any harm to them likely to be caused during construction and operation of the development. The works and other measures forming part of that plan shall be carried out in accordance with it. NC08

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to SPO1, SPO2, WCS12 and WCS14 to the Wealden Core Strategy Local Plan 2013.

33. Prior to preparation of ground levels for the construction of the development hereby approved, a scheme for the enhancement of the site for biodiversity purposes, in accordance with the recommendations contained in Section 6 of the submitted Ecological

Appraisal date stamped 7 February 2022, to include timescales for implementation and future management, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of enhancements shall be implemented in accordance with the approved details and thereafter so retained.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to SPO1, SPO2, WCS12 and WCS14 to the Wealden Core Strategy Local Plan 2013.

34. No floodlighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed scheme which shall provide for lighting that is low level and directional and has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall show predicted light levels at neighbouring residential properties. The artificial lighting to the development shall conform to requirements for Environmental Zone E2 contained within Table 2 of the Institute of Lighting Professionals Guidance Note 01/21 The Reduction of Obtrusive Light and comply with the Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/23 Bats and Artificial Lighting at Night or where superseded the current guidance at the time.

The scheme shall be implemented in accordance with the approved details and retained thereafter. EL02

REASON: To preserve the rural and residential amenities of the locality having regard to Saved Policies EN27 and EN29 of the adopted Wealden Local Plan and the Wealden Design Guide, Chapter 3, Section 18 and Chapter 8, Section 7.

35. No floodlighting, security lighting or other external means of illumination of the sports pitches shall be provided, installed or operated at the site. EL01

REASON: To preserve the rural amenities of the locality, protect ancient woodland habitat and protected species with specific regard to bats having regard to Spatial Planning Objectives SPO2 and Policy WCS12, WCS13 and WCS14, of the Wealden Core Strategy Local Plan 2013 and Saved Policies EN8, EN13, EN27 and EN29 of the Wealden Local Plan 1998.

36. No development shall commence until a scheme for the provision and management of a naturally vegetated buffer zone to protect the ancient woodland areas, which shall accord with the details set out in Technical Note 03 date stamped 28 July 2023, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Plans showing the extent and layout of the buffer zone;
- b) Details of the planting scheme which shall include native species of local provenance;
- c) Details demonstrating how the buffer zone will be protected during construction and occupation of the development and managed and maintained over the longer term.
- d) Details for the restriction of public access into the buffer zone.

The landscaped buffer shall be planted in accordance with the approved scheme in the first planting season following commencement of development. Any trees, shrubs, hedges or plants which within a period of five years from the completion of 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, unless the Local Planning Authority gives written consent to any variation.

REASON: To safeguard irreplaceable habitats having regard to Saved Policies EN8 and EN13 of the Adopted Wealden Local Plan and Policy WCS12 of the Core Strategy

37. The proposed farm access to the north of the site shall be secured by a lockable gate to restrict public access to the north of the site and include signage advising "No public access" details of which shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the first occupation of the development hereby permitted and be thereafter retained.

REASON: To protect the adjoining ancient woodland of Park Wood from recreational disturbance and impact on bats having regard to Policies EN12, EN13 of the Wealden Local Plan and WCS12, WCS13 and WCS14 of the Core Strategy Local Plan.

38. Before development commences a full Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority which shall include numbering and detailing trees, confirming root protection areas, routing of service trenches, overhead services and carriageway positions and any details of no dig techniques along with associated use of geotextiles and an indication of the methodology for necessary ground treatments to deal with compacted areas of soil. The works shall be implemented in accordance with the approved details. TP05(M)

REASON: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area, having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policies EN12 and EN14 of the adopted Wealden Local Plan 1998 and the Wealden Design Guide, Chapter 3, Section 6.

39. No trees and/or hedgerows on the site, unless dead or dangerous, shall be felled, reduced, pruned or destroyed without the consent in writing of the Local Planning Authority. Furthermore, the following work shall not be carried out within the approved protection zone of any tree or hedgerow, except with the consent of the Local Planning Authority:-
- (i) Levels shall not be raised or lowered in relation to the existing ground level within the approved protection zone of the tree or hedgerow.
 - (ii) No roots shall be cut, trenches dug or soil removed within the approved protection zone of the tree or hedgerow.
 - (iii) No buildings, roads or other engineering operations shall be constructed or carried out within the approved protection zone of the tree or hedgerow.
 - (iv) No fires shall be lit within the approved protection zone or in a position where the flames could extend to within 5 metres of the foliage, branches or trunk of the tree or hedgerow as per the requirements of BS5837:2012 Trees in relation to design, demolition & construction - Recommendations.
 - (v) No vehicles shall be driven over the area within the approved protection zone of the tree or hedgerow.
 - (vi) No materials or equipment shall be stored within the approved protection zone of the tree or hedgerow as per the requirements of British Standard 5837:2009 'Trees in Relation to Construction'. TP02

REASON: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area, having regard to SPO13 and WCS14 to the Wealden Core

40. Prior to the construction of the superstructure of any buildings, details of water and energy efficiency measures and renewable energy and sustainable construction measures within the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter so retained. SS05

REASON: To promote sustainable building design, having regard to Spatial Planning Objectives SPO9 and SPO13, and Policy WCS14, of the Wealden Core Strategy Local Plan 2013; Saved Policy EN1 of the Wealden Local Plan 1998 and Chapter 4 of the Wealden Design Guide 2008.

41. No development on the playing field shall commence until a detailed scheme for the Natural Turf Pitches, designed by a RIPTA registered agronomist to meet the Performance Quality Standard of the Football Association, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (i) A detailed assessment by a RIPTA registered agronomist of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
 - (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
 - (iii) Details of a Management and Maintenance Scheme for the pitches including management responsibilities, maintenance schedule and a mechanism for review

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The construction of the Natural Turf Pitches shall be project managed or signed off by an RIPTA registered agronomist and evidence shall be submitted that the sports pitch(es) pass a Performance Quality Standard test, arranged via the FA Pitch Improvement Programme, to a "good" standard before the pitch(es) are used. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

REASON: In order to secure a satisfactory standard of development, having regard to SPO11, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policies EN27, LR1 and LR3 and of the adopted Wealden Local Plan 1998

42. This planning decision relates solely to the information contained within the application form, the following plan(s) and (where appropriate) documents:

Ref.	Date Stamped.
Arboricultural Impact Assessment Ref 11316_AIA.001	7 February 2022
Report to Inform a Habitats Regulations Assessment (HRA)	7 February 2022
Acoustic Design Statement	7 February 2022
Air Quality Assessment Revision 2	7 February 2022
Statement of Community Involvement	7 February 2022
Lighting Impact Assessment Ref BRM08251	7 February 2022
Transport Assessment Appendices	7 February 2022

	15 February 2022
	10 March 2022
Ecological Appraisal	7 February 2022
Biodiversity Net Gain Assessment	7 February 2022
Ecological Impact Assessment (EclA) Checklist	7 February 2022
Transport Assessment	15 February 2022
Landscape and Visual Appraisal Report	15 February 2022
Archaeological and Heritage Assessment	15 February 2022
Flood Risk Assessment and Drainage Strategy	15 February 2022
Utilities Report	15 February 2022
Residential Travel Plan	15 February 2022
Dwg 03d – HN1D Application Boundary	10 March 2022
Planning Statement	23 March 2022
Response to Conservation Consultee	
Response edp3718_r010	21 June 2022
Air Quality Addendum	28 June 2022
Technical Note in Response to comments received from LLFA and Planning Authority	12 July 2022
Illustrative Drainage Strategy	
Dwg AAA5630E-RPS-xx-xx-DR-C-601-01 Rev P04	12 July 2022
Illustrative Drainage Strategy	
Dwg AAA5630E-RPS-xx-xx-DR-C-601-02 Rev P04	12 July 2022
Flood Routing Plan Sheet 1	
Dwg AAA5630E-RPS-xx-xx-DR-C-602-01 Rev P02	12 July 2022
Flood Routing Plan Sheet 2	
Dwg AAA5630E-RPS-xx-xx-DR-C-601-02 Rev P02	12 July 2022
Sports Pitch Detail Plan Dwg edg3718_d058a	1 September 2023
Technical Note RSA Stage 1 Audit Brief	6 September 2022
Technical Briefing Note: Additional Information to Address Environment Agency Consultation Response	15 November 2022
Technical Note 4 Response to ESCC Highways Comments	14 November 2022
A271 Amberstone Footway Improvements	
Stage 1 Road Safety Audit	14 December 2022
A271 Amberstone Footway Improvements	
Stage 1 Road Safety Audit Response Report	14 December 2022
A271 Amberstone Footway Improvements	
Dwg 50399/5504/002 Rev A	14 December 2022
Stage 1 Road Safety Audit Brief – A271 Amberstone Footway Improvements	14 December 2022
Dwg edp3718_d051L-Illustrative Masterplan	19 December 2022
Technical Briefing Note Additional Information to Address Environment Agency (Landowner) Consultation Response	19 December 2022
HN1D 2 No Development Accesses Dwg 50399/5504/001 Rev A	6 December 2022
Post Submission Transport Package	6 December 2022
Interim Bat Results	28 July 2023
Sustainability Infographic	28 July 2023
Technical Note 03 Additional Information to address Ecology Consultation Responses	28 July 2023
Bat Survey Results Activity (Manual) Dwg 5064-E/EC04	11 May 2023
Bat Survey Results Activity (Static Detectors) Dwg 5064-E/EC05	11 May 2023
Technical Note 05 Summary of Ecology Responses from the Environment Agency	18 August 2023
A271 Compact Roundabout Dwg 39667/5508/006	23 August 2023
Indicative Land Use, Access and Movement Parameter Plan Dwg edp3718_d032m	25 August 2023
Technical Note 07 Update Bat Surveys – Full Results	26 October 2023

REASON: For the avoidance of doubt.

The Local Planning Authority's reasons for its decision to grant planning permission are set out in the officer's report which can be viewed on the Council's website at www.planning.wealden.gov.uk

NOTE: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor material alterations. An application must be made using the standard application forms and you should consult with us, to establish the correct type of application to be made.

NOTE 1: This permission is subject to an agreement under Section 106 of the Town and Country Planning Act 1990. STN1

NOTE 2: The developer is required to contact the Council as Street Naming & Numbering Authority, in writing, enclosing a site layout plan and the commencement of work on site, to agree a scheme of house/street naming and numbering, and for the allocation of postcodes. Please contact the NLPG Officer, IT Department, at the above address. STN8

NOTE 3: The applicant is advised that it is an offence under section 161 of the Highway Act 1980 to deposit anything on a highway the consequence of which a user of the highway is injured or endangered. It is strongly recommended that during any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided and used within the site, to prevent contamination and damage to the adjacent roads. STN13

NOTE 4: The applicant is reminded that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. NCN1

NOTE 5: The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

NOTE 6: A formal application for connection to the public sewerage system is required in order to serve this development. For further advice, please contact:

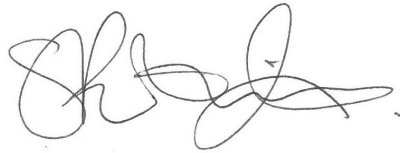
Southern Water
Sparrowgrove House
Sparrowgrove
Otterbourne
Hampshire
SO21 2SW
Tel 03303030119
www.southernwater.co.uk

NOTE 7: The applicant is advised of the need to consult East Sussex Fire Service regarding the provision and location of fire hydrants within the development.

NOTE: Your attention is drawn to the requirements of the Building Act 1984 for the deposit of Plans under the Building Regulations and associated legislation.
ACCESS FOR FIRE BRIGADE: Your attention is hereby drawn to the provisions of Section 35 of the East Sussex Act 1981.

DISCHARGE OF CONDITIONS: It is advised that under The Town and Country Planning Act 1990, the Council has up to 8 weeks from the date of an application to discharge any condition(s) and advise the applicant of the Council's decision. This information should be submitted using the '[Approval of Details Reserved by Condition' Form](#)' which can be downloaded from the Council's website. Please note there is also a fee payable for this type of application.

IMPORTANT: See Notes overleaf
DATE OF ISSUE: 19 December 2023

A handwritten signature in black ink, appearing to read 'Stacey Robins', with a stylized, flowing script.

Stacey Robins
Head of Planning & Environmental Services

Application No. WD/2022/0294/MAO

NOTES

Appeals to the Secretary of State

- If the Applicant is aggrieved by the decision of the Local Planning Authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then an appeal may be lodged with The Planning Inspectorate (PINS) under Section 78 of the Town and Country Planning Act 1990.
- Appeals must be made on a form which is obtainable from:
The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN
Tel. No. 0303 444 5000
www.gov.uk/appeal-planning-inspectorate

Appeal Timescales

- Householder planning application or minor commercial application:

12 weeks from the date on the decision notice

However, if an enforcement notice has been served for the same or very similar development the time limit is:

- **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 12 weeks).

NB – if the LPA have failed to determine the householder planning application, or for an appeal against the grant of permission subject to conditions, please follow the time limits under “Planning application” below.

- Planning application:

6 months from the date on the decision notice, or

6 months from the expiry of the period which the LPA had to determine the application.

However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

NB – the LPA determination period is usually 8 weeks (13 weeks for major developments and 28 days for non-material amendment applications). If a longer period has been agreed with the LPA, the time limit runs from that date.

Further information

- The Planning Inspectorate has discretionary power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice to appeal.
- The Planning Inspectorate is not required to entertain an appeal if it appears that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- The Planning Inspectorate does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction issued by the Secretary of State.

Purchase Notices

- If either the LPA or Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the land has become incapable of reasonably beneficial use in its existing state nor rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.