

Parish: Boxgrove	Ward: Boxgrove
---------------------	-------------------

BX/17/00898/REM

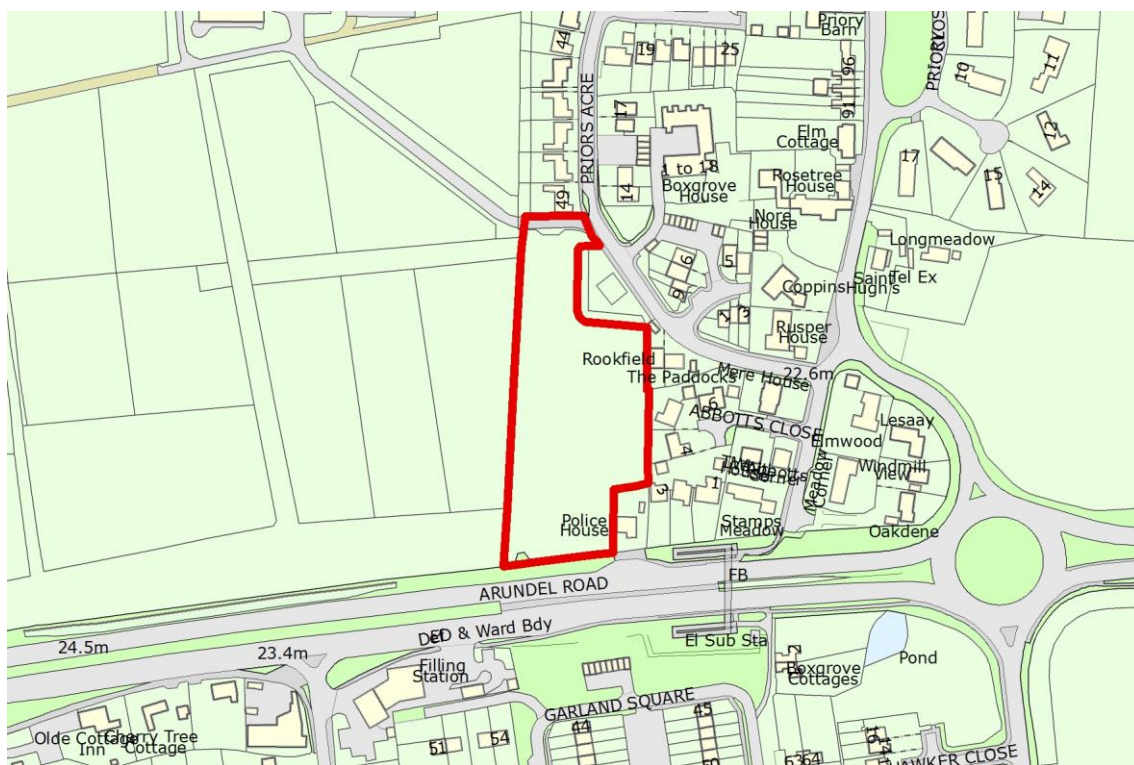
Proposal Application for approval of reserved matters in respect of appearance, layout, scale and landscaping for the erection of up to 22 no. residential units, public open space, landscaping, access and car parking following outline planning permission 14/03827/OUT.

Site Land West Of Abbots Close Priors Acre Boxgrove West Sussex

Map Ref (E) 490554 (N) 107058

Applicant Bargate Homes Ltd

RECOMMENDATION TO PERMIT



**NOT TO
SCALE**

Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803

1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The application site lies to the south west of the village of Boxgrove. The site is an irregularly shaped, flat parcel of grassland 0.76ha in area, previously used for grazing in association with Boxgrove Farm. The site has a boundary with existing housing to the north and east. To the south, it adjoins the A27, less than 150m from the Boxgrove/Tangmere roundabout. The western boundary of the appeal site abuts open farmland.
- 2.2 The site is outside, but adjacent to the Settlement Boundary for Boxgrove as established under the Chichester Local Plan. This boundary has however been reviewed under the emerging Site Allocation Development Plan Document (Policy BX1). The emerging DPD identifies the application site as falling within the revised Settlement Boundary for Boxgrove. The site lies within Flood Zone 1. Priors Acre is a residential road with a 30mph speed limit.
- 2.3 The land is accessed from Priors Acre, via a short section of private drive serving Boxgrove Farm, then through a 5 bar agricultural gate mid way along the site's northern boundary. The northern boundary is otherwise identified by post and rail fencing. There is a mature, established native hedgerow along the western boundary of the site, beyond which is grazing land associated with Boxgrove Farm. The boundary along the eastern edge comprises a close-boarded fence, which varies in height from 1.8m down to 1.4m. The fencing is supplemented in places by mature planting, particularly adjacent to Old Police House adjacent to the far south east corner of the application site, where a significant proportion of the boundary is screened by a Leylandii hedge in excess of 3m in height. There is a triangular area of mature planting close to the north east corner of the site that falls outside the application boundary. There are mature trees with hedgerow under along the southern boundary, as well as a low bund, screening the application site from the A27 dual carriageway.
- 2.4 Nearby residential development is a mix of dwelling types and sizes, mostly dating from the late 20th/early 21st century. Priors Acre to the north and east is predominantly 2 storey properties to the north of the site and a bungalow to the immediate north west, while Abbots Close to the east includes some two storey properties alongside small bungalows. The bungalows include 5 Abbots Close, which is adjacent to the application site.
- 2.5 A large 2-storey property, 49 Priors Acre, is located to the north of the application site, although it does not face the site. Rookfield, a semi-detached chalet bungalow, is located adjacent to the north-eastern boundary. To the south of Rookfield/The Paddocks, numbers 3, 4 and 5 Abbots Close back onto the application site. Old Police House, which is a 2-storey detached dwelling, is located adjacent to the south-eastern corner of the application site.

3.0 The Proposal

- 3.1 Outline planning permission was granted under 14/03827/OUT for up to 22 residential units, public open space, landscaping, access and car parking. All matters were reserved except for the point of access. The planning permission is accompanied by a s106 agreement dated 19 February 2016. The s106 agreement deals with affordable housing provision, SUDS construction, foul drainage, estate road construction and management, site management, and the provision and maintenance of the open space land and the landscape buffer. Conditions on the outline planning permission dealing with construction management, surface water drainage, street lighting, contaminated land, energy performance, archaeology and bat and bird boxes have been discharged.
- 3.2 This application has been submitted for the approval of reserved matters in respect of appearance, layout, scale and landscaping following the outline planning permission 14/03827/OUT. The application site red line includes the access from the proposed development to Priors Acre. The revised site plans (0003 P11 and 0004 P14) confirm there is a narrow strip of land between Rookfield and the proposed plot 11, which is under the control of the applicant but is excluded from the red line identifying the application site.
- 3.3 The plans submitted with this application identify 22no. dwellings arranged each side of a spine road which runs diagonally through the site from the north west to the south east corner. The dwellings comprise a mixture of detached and terraced properties. The detached properties have private side or rear gardens, with on-plot parking and single garages. The 7no. terraced properties are located at the southern end of the site, facing south. These dwellings have private rear gardens and parking is provided opposite each property. Overall the layout includes 14 garages and 43 parking spaces. The road will be privately owned and managed, and is 4m wide. There are two areas of amenity open space provided, one is to the north of plots 10 and 11 and to the south of the dog leg near Rookfield, and the other is adjacent to the southern site boundary. There is a proposed 2m high acoustic fence along the southern site boundary, adjacent to the A27.
- 3.4 The dwellings and garages have pitched clay tiled roofs with some elevations revealing exposed rafter feet. The built form as a whole includes a variety of design details, including clay hanging tiles, contrasting brick quoining, timber framed pitched roof porches, feature gables, pitched roof dormer windows, half hipped, hipped and gabled roof forms and chimneys. Two multi brick types are proposed, with feature flint panels to plot 2. Windows will be white UPVC, with front doors in a cottage style. The access road is proposed to be finished in tarmac, with block paving to shared and private parking areas. Private garden boundaries will be defined by 1.8m brick walling or close boarded fencing.
- 3.5 The outline planning permission set parameters of 2 storey development, with up to 5m eaves and 9m maximum ridge heights. The two storey properties comply with this. Plots 11-14 along the eastern boundary are chalet bungalows with maximum eaves heights of 3.6m and ridge heights of 7m, these have been designed as lifetime flexible homes. There is a landscape buffer of 3m along the western boundary, which

is secured by the s106 agreement. Public open space is provided on the site totalling the 180sqm required, as set out in the s106 agreement.

- 3.6 The scheme provides 8 affordable dwellings (37%) comprising 2 intermediate units and 6 affordable rented units. The intermediate units comprise 1 x 2 bed house and 1 x 3 bed house. The affordable rented units comprise 2 x 1 bed flats, 2 x 2 bed flats and 2 x 3 bed houses. The market mix is proposed as 4 x 2 bed houses, 7 x 3 bed houses and 3 x 4 bed houses.
- 3.7 The details of the foul sewerage arrangements on site are covered by the s106 agreement. The submitted site plans show the sewerage pumping station sited adjacent to the northern public open space in the south west corner of the dog leg, to the north of plot 10 and opposite plot 3. A 10m buffer around the pumping station is also proposed, which is to be located within the open space and is a Grade 2 pumping station. The details for surface water drainage were approved under the discharge of condition 7 (17/01438/DOC) of the outline planning permission. The surface water will be managed on site via infiltration using geo-cellular crates under the parking area and the POS at the southern end of the site.
- 3.8 The proposed amenity landscaping comprises the delivery of two areas of open space and feature trees at key points around the site. A line of trees is proposed along the southern boundary, to the north of the acoustic fence. It is proposed that these features and boundary trees are a mix of native species and are planted at Heavy Standard size, 3.25-4.5m tall. The northern open space is shown to be planted with a wildflower mix to encourage wildlife. Bollards are indicatively shown to prevent unauthorised parking on the edges of the access road.
- 3.9 The application was amended during the course of the assessment, with updated site plans, elevations and floor plans, materials schedule, swept path diagrams, a further noise assessment, updated landscape masterplan and energy performance calculations provided.

4.0 History

14/03827/OUT	REF	Outline planning permission is sought for development of the site for up to 22 residential units, public open space, landscaping, access and car parking. All matters are to be reserved except for point of access.
15/00098/REF	ALLOW	Outline planning permission is sought for development of the site for up to 22 residential units, public open space, landscaping, access and car parking. All matters are to be reserved except for point of access.
17/01048/OBG	PCO	Deed of Variation to Section 106 Agreement for 14/03827/OUT - affordable dwellings.

17/01438/DOC	DOCDEC	Discharge of condition 7, 8, 9, 12 and 14 from planning permission BX/14/03827/OUT (APP/L3815/W/15/3138439).
17/01637/DOC	DOCDEC	Discharge of conditions 6, 11 and 13 from planning permission BX/14/03827/OUT.
17/02292/DOC	DOCDEC	Discharge of Condition 14 from Planning Permission BX/14/03827/OUT (APP/L3815/W/15/3138439).
17/02920/DOC	PCO	Discharge of Condition 13 from Planning Permission BX/14/03827/OUT (APP/L3815/W/15/3138439).
17/03064/DOC	REC	Discharge of Condition 6 from Planning Permission BX/14/03827/OUT

5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	Flood Zone 1
Historic Parks and Gardens	NO

6.0 **Representations and Consultations**

6.1 **Boxgrove Parish Council**

Boxgrove Parish Council agreed unanimously at its Annual Parish Meeting on 8th May to STRONGLY OBJECT to this application.

Contrary to Chichester Local Plans recommendation 17.20 to prevent social exclusion and to help establish a mixed, balanced and sustainable community within large developments, it is very important that the affordable housing is well integrated and distributed throughout the site. Affordable housing should not be externally distinguishable from the market housing the affordable housing is sited altogether at the furthest end of the development nearest to the A27 where there will be most noise, dust and pollution. There are ample alternatives to this solution.

Secondly there is no scheme in place for the management of the pumping station and waste water which leads to the belief that future residents will be faced with ever-increasing bills.

Thirdly the plans are uninspiring and disappointing. A typical developer scheme which smacks of mediocrity and again falls foul of Chichester Local Plan Policy 33 which requires:

- That proposals meet the highest standards of design
- Adequate infrastructure and provision for future maintenance is provided
- The proposal provides a high quality living environment in keeping with the character of the surrounding area and its setting in the landscape
- The proposal respects and where possible enhances the character of the surrounding area and site, its setting in terms of its proportion, form massing, siting, layout, density, height, size, scale, neighbouring and public amenity and detailed design

Fourthly the access and egress of this site has not been properly assessed and it will cause traffic problems and nuisance to current residents.

Comments on revised plans October 2017

Boxgrove Parish Council strongly objects to this application, as in fact nothing has changed since the last objection. The affordable housing is still in a lump at the end of the development, contrary to CDC Local Plan where this should be integrated into the development. Furthermore the affordable housing is right next to the A27. The turning space allowed for the waste collection is (not only in front of the affordable homes and their cars but extremely tight. The green space allocation is extremely small for a development of this size. The issue of who maintains the pumping station has still not been resolved.

6.2 Environment Agency

The Environment Agency has no comments to make on the above proposal.

6.3 Portsmouth Water

Portsmouth Water Ltd has no further comments or concerns in regards to application Ref: 17/00898/REM, as there is no seen risk to groundwater quality/aquifer protection in our area of supply.

6.4 Southern Water

Southern Water would have no objections to the above planning application for approval of reserved matters in respect of appearance, layout, scale and landscaping. Please note that the approved layout should incorporate that due to the vibration, noise and potential odour generated by sewage pumping stations, no habitable rooms should be located closer than 15 metres to the boundary of a proposed pumping station site.

Reference should be made to Southern Water publication "A Guide to Tree Planting near water Mains and Sewers" with regards to any Landscaping proposals.

The comments in our previous response dated 22/04/2015 remain unchanged and valid for the above reserved matter details.

6.5 Sussex Police

I have had the opportunity to examine the detail within the application and revisit my previous comments within my letter of PE/CHI/15/07/A to outline application 14/03827/OUT. I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime. I offer the following comments from a Secured by Design (SBD) perspective.

The NPPF demonstrates the government's commitment to creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion, and with the level of crime and anti-social behaviour in Chichester District being below average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered.

I was disappointed to note that due to the development being an un-adopted road layout, there will not be any street lighting. Therefore it will therefore very important to ensure that all dwellings have external lighting at their entrances that is operated by a dusk till dawn sensor. Given that there is no lighting within the development, the pathway between plots 19 & 20 will become a vulnerable area during the hours of darkness. As such this will require gating, otherwise this has the potential to provide a legitimate place for loitering and the potential to increase acts of anti-social behaviour.

I was pleased to note it is proposed to remove the rear access way to the dwellings running along the north south boundary. Where there is mention of boundary walls consisting of low brick walls topped by wooden fencing, I ask that the fencing is flush with the attack face of the wall to remove any climbing aids that may assist an intruder to enter the garden. Any other close board boundary (cbf) fencing is to be a minimum height of 1.8 metres.

Where the existing hedging and trees are to be retained along the development's boundary, it will still be necessary to provide individual garden boundaries of cbf to the height of 1.8 metres. Any gates providing access to rear gardens are to be the same height and construction as the adjoining fence and to be brought forward on the building line as is possible to prevent any recesses.

6.6 WSCC Highways

The above proposal is a reserved matters application. The access into the site has already been approved in a previous planning application. As such only matters of layout and parking need to be considered and as the development will not be offered for adoption by the LHA our comments are provided in an advisory capacity.

The site will provide 22 dwellings, with 14 garages and 43 car parking spaces. Where possible if the garages will be included as parking spaces; this will provide a slightly higher parking provision. These should be built slightly larger and to ensure these are used for parking and not for storage the condition attached will help to ensure these are kept for this use.

The WSCC car parking calculator has been used as guidance on the proposed number of parking spaces. For the size and type of dwellings the calculator suggests the development is providing parking within the maximum standard. For these spaces to be useable they should be built in line with Manual for Streets guidance 2.4m x 4.8m and garages slightly larger if they are to be used for storage of bicycles.

The internal layout has been reviewed by our implementation team. As the road will not be adopted the private roads condition should be included to ensure the roads are still built to a maintainable standard. Comments were made regarding the internal layout:-

- 1) The 17m visibility splay is acceptable provided the boundary wall does not obstruct forward visibility unless these are kept to a minimum of 600m
- 2) WSCC do not consider the give way markings are required although this is off the public highway and therefore only our opinion
- 3) Swept paths show that a car and refuse vehicles have enough space to turn and exit the site in forward gear.

6.7 CDC Drainage Engineer

Original comments

In his consultation response email dated 24.04.2015, in relation to outline application 14/03827/OUT, the Coast and Land Drainage Officer made the following comments regarding the proposed means of surface water drainage:

- Shallow soakage should be considered, deep bore soakaways are to be avoided.
- The surface water drainage design suitability should be confirmed through winter groundwater monitoring, proving that groundwater levels will not cause inundation of the surface water system. These comments are also relevant to this application.

Condition 7, applied to application 14/03827/OUT, requires a detailed surface water drainage design to be approved by the planning authority prior to construction. Therefore no further conditions are required for this application.

Further comments

Following further review of the supporting documents relating to applications 17/00898/REM and 14/03827/OUT, we would like to make the following additional comments:

A site layout and associated drainage strategy were submitted and approved in principle in relation to application 14/03827/OUT. The revised site layout submitted in relation to application 17/00898/REM conflicts with that existing drainage strategy. Therefore can the developer please either; revert to the existing approved layout and associated drainage strategy, or alternatively, submit a revised drainage strategy for the new layout, for approval. Can the developer also please including the results of winter groundwater monitoring, if available.

6.8 CDC Environment Officer

Hedgerows

The hedgerows provide foraging habitat and a commuting corridor for bats and thus should be retained and enhanced by filling any gaps with native planting.

Bats

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees and hedgerows by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Birds

Any works to the trees / hedgerow habitat or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March – 1st October. If works are required to take place within this time an ecologist would be required onsite to check the area before any works take place (with 24 hours of any work). If a nest is then discovered all works should stop within a 5m radius until the young have fledged.

Reptiles

If any clearance is required within the southern site margin where scrub and tall ruderal vegetation is present, removal should be undertaken with care.

6.9 CDC Environmental Health (Contaminated Land and Air Quality)

The original comments made on the outline planning application still stand further gas monitoring was to have been carried out and the results sent to this authority to determine if any gas protection measures are required. In addition a condition was recommended in case unexpected land contamination was found. These conditions should be applied to this REM application and conditions PC23 and DC13 should be applied.

It is noted that a condition requiring a Construction Method Statement (no 6) has been applied to the appeal decision this condition should also apply to the REM application and condition PC05 should be applied.

In order to encourage the use of sustainable modes of transport, secure covered cycle parking should be put in place at each residential unit and information should be given to future occupiers on local public transport facilities and nearby walking and cycling routes. Details of the WSCC car share database should be given to future residents to encourage car sharing where possible.

In the previous response it was suggested that for the properties closest to the A27 carriageway facades facing the road should be designed so that less sensitive rooms face the roads (eg landings, bathrooms, halls and kitchens). These design considerations should be implemented in the nearest properties to the A27 to improve the air quality at the new properties.

6.10 CDC Environmental Health (Noise)

Original comments

I refer to my original comments in respect of planning ref. BX/14/03827/OUT. They generally said that development was possible at the site (although desirable noise levels internally could only be achieved with windows closed) but this had not been adequately demonstrated at the distance of the nearest proposed properties from the A27 as shown on the submitted plans.

The calculations for noise levels at the façade of a property at approximately 20m from the nearside carriageway take into account the existence of a bund. This bund is calculated to provide a significant reduction in noise levels. The noise report does not include the detailed calculation for the bund i.e., it does not detail the assumed height etc, or distances from source and receptor. I visited the site recently and took some digital photographs of what I assume is the 'bund' (see below). I cannot see how this can provide the level of attenuation referred to in the report.

Additionally, the calculation does not give the predicted noise levels for night-time, and therefore the acoustic report does not demonstrate that occupiers will not be adversely affected by L_{Amax} levels produced by passing road traffic on the A27. The applicant will need to address these issues before the Environmental Management team can provide further comment. This may include carrying out further noise monitoring at the actual development site (as opposed to approximately 100m west of the development site).

Further comments

I submit these comments to you in relation to further information which was submitted by the acoustic consultant in response to my comments of 26th July regarding discharge of Condition 14 of BX/14/03827/OUT which requested the submission of a noise mitigation scheme. I confirm that I have read the latest acoustic report (Technical Report: R7018-1 Rev 2).

As requested, further noise monitoring has been carried out at the proposed development site to record typical A27 noise levels. The results show that noise levels are similar to noise levels generated during Goodwood Festival of Speed. The raw noise monitoring data has also been provided (as 5-minute averaged noise monitoring periods). This shows that L_{Amax,f} noise levels at the proposed southern most facades would be high, and this combined with the high number of events means that the noise could have a significant effect on sleep disturbance. The L_{Amax} data given only shows the highest L_{Amax} noise level during a 5-minute period. We still have no idea as to the number of events in these 5-minute periods.

The BS8233:2014 noise calculations as requested have been provided, and they show that desirable internal noise levels could be achieved with suitable glazing and trickle ventilation.

However, this means that when purge ventilation is required, or when residents need to keep their windows open to prevent over heating during the summer months (the properties facing on to the A27 are south facing) then there is a strong possibility that sleep will be disturbed. Keeping windows closed all the time, may also lead to a sterile internal environment because of the high specification of acoustic glazing etc. Mechanical ventilation could be installed to cool the rooms, however this brings its own problems including the introduction of a new noise source.

In accordance with ProPG Supplementary Document 2 (Good Acoustic Design) (2017) layout, orientation, distance from noise etc., should be considered in the first instance to mitigate noise rather than rely on windows and mechanical ventilation. Mechanical ventilation should be considered as a last resort. We therefore recommend that the applicant submit plans which incorporate the advice given in ProPG, as the current plans do not demonstrate good practice in terms of mitigating the noise.

Further comment on updated Noise Impact Assessment

Further to my consideration of the Updated Noise Impact Assessment Technical Report: R7018-1 Rev 3 by 24 Acoustics, I have now also seen the letter summarising the SAP assessment and additional details on the ventilation units chosen.

The SAP assessment concludes that the properties are not at particular risk of overheating and from that we can infer that boost ventilation for cooling via open windows should not be required and background ventilation via the acoustically treated vents should suffice for the majority of the time. The extraction ventilation fitted to the bathrooms and kitchens will be Greenwood, Unity CV2GIP, a type which run continuously at low level moving air out at 5 – 8 L/S, increasing to up to 23 L/S when required. These will assist the ventilation of the property and encourage air circulation.

As extract ventilators will comprise holes in the property which could themselves allow noise to enter, I would like to have details how they will be installed so as not to allow ingress of noise. I appreciate that they are quiet running, but without acoustically sensitive installation they may undermine the efficacy of the glazing / acoustic trickle vents.

Further comment on construction method

The application now has sufficient information.

6.11 CDC Housing

The outline application, for up to 22 units, on the above site was approved at appeal, under application number BX/14/03827/OUT.

Market Housing

The proposed market mix is set out below:

7 x 3 Bed Houses (50%)

7 x 4 Bed Houses (50%)

Total 14 units

The Council's adopted Planning Obligation and Affordable Housing SPD (PO&AH SPD) states: "At the District-wide level, the SHMA recommends an appropriate mix, size and type of both market and affordable rented housing requirement on new development. This will be used as the basis for both market and affordable housing requirements over the plan period. Individual sites will be expected to reflect the needs of the SHMA.....any applications for new housing should include evidence to support any deviation from policy."

The SHMA advises that there is a need to increase the supply of less expensive properties to improve affordability. It concludes that the mix of market housing should focus to a greater degree on smaller family homes to help retain younger working households, encouraging economic growth and enable older people to down size. The proposed market mix does not meet the SHMA requirements, in that there is no provision for smaller units and there are far too many 4+ bedroom units, which will contribute to the already disproportionate amount of larger detached properties in the District, further exacerbating the affordability issues. The applicant has made no justification for the proposed mix. Therefore, the below market mix will be required to meet the evidenced local need:

The market mix required is set out below:

5 x 2 bedroom houses (36%)

7 x 3 bedroom houses (50%)

2 x 4 bedroom houses (14%)

Although the outline was approved with all matters reserved except for access, the indicative outline market mix was in-line with the above and paragraph 11 of the inspectors report states: "The proposed development would largely meet that need and would boost significantly the supply of housing in the village. Opportunities for homeownership would be widened and an identified need for affordable housing would be met. As such it would provide for the needs of present and future generations and meet the social and economic roles identified in the Framework as 2 of the 3 dimensions to sustainable development."

The proposed market mix does not provide for the needs of present and future generations. The mix set out above will provide units to meet local housing need; enabling newly forming households to remain in the district, older people to down size to appropriate accommodation and the smaller family houses will help retain and attract young working families, supporting economic growth.

Affordable Housing

Paragraph 1.3 of the First Schedule of the s106 Agreement, dated 19.02.16, sets out the affordable housing mix obligation:

2 Intermediate Units of the following mix and sizes:

1 x 2 Bed House

1 x 3 Bed House

6 Affordable Rented Units of the following mix and sizes:

2 x 1 Bed Flats

2 x 2 Bed Flats

2 x 3 Bed Houses

The proposed affordable mix under this application meets the s106 requirement.

In order to prevent social exclusion and to help establish a mixed, balanced and sustainable community, it is very important that the affordable housing is well integrated and dispersed throughout the site. Although the PO&AH SPD requires no more than groups of 10 affordable units in one area, all 8 units are positioned so that there is no integration between the market units and are at the most southerly part of the site, closest to the A27. As the size of the market units are to be reduced, it is advised that the layout be reviewed to enable better integration of the affordable units.

It is strongly advised that the applicant enters into discussions with our RP partners at the earliest opportunity. As recent experience has shown that it is becoming more difficult to find RP's willing to take on small numbers of affordable units on s106 sites. As the majority of RPs are focusing on efficiency savings; following the grant reductions and revenue income reductions (as a result of the 1% per annum affordable rent reductions). Coupled with the fact the units will have sealed windows and mechanical ventilation, which could further reduce RP take up.

It is advised that if the affordable units are too be delivered in 2 blocks, as proposed, the affordable rent and shared ownership are delivered in separate blocks to avoid management issues. As the proposed plans currently groups one affordable rent unit with two shared ownership units.

To conclude the housing delivery team are unable to support this application until:

- the market mix has been revised to meet the SHMA requirements
- the affordable units are better integrated within the development and the separation between the affordable and shared ownership are made.

Further comment

Following from my comments dated 18/08/2017, the applicant has amended the proposed market mix from:

- 7 x 3 Bed Houses (50%)
 - 7 x 4 Bed Houses (50%)
- Total 14 units

to:

- 4 x 2 Bed Houses (28.5%)

- 7 x 3 Bed Houses (50%)
 - 3 x 4 Bed Houses (21.5%)
- Total 14 units

The amended mix is not exactly in-line with the SHMA recommendations (5 x 2BH, 7 x 3BH & 2 x 4BH), a difference of one extra 4 bed and one less 2 bed. However, taking into consideration that 4 of the 2 bedroom properties will be lifetime home standards, the difference of one unit is acceptable in this instance. The amended market mix will now provide units to meet local housing need; enabling newly forming households to remain in the district and older people to down size to appropriate accommodation.

No amendments have been made to the affordable housing mix, which is in-line with what was agreed in the S106.

All the affordable units are still located at the most southerly part of the site, closest to the A27. However, the applicant is now proposing:

- to move the building line further back from the A27
- a 2m high acoustic barrier at the southern boundary to improve noise attenuation, and;
- an open space area in front of the affordable properties.

These amendments have resolved the noise and ventilation issues that were previously raised. The PO&AH SPD requires no more than groups of 10 affordable units in one area, all 8 units are positioned together which meets this requirement. However, it would be preferable if there was better integration with the market units.

6.12 CDC Waste Services

Layout

My initial concern is the swept path analysis has been carried out using a smaller vehicle. Even so the current proposed turning head is tight and appears to show the vehicle swinging over a property boundary to plot 17 which is of concern. I would therefore recommend the swept path analysis is carried out using the correct refuse freighter dimensions and the turning head is enlarged to accommodate, ensuring the freighter does not pass over property boundaries.

In respect of landscaping, please could we request that any trees/bushes around the turning head are moved as to not obstruct our refuse freighter during turning. I would also ask if the trees located on the inside of the bend at the top of the site (near plot 2) are also moved back to ensure visibility around the corner are not obstructed.

Please refer to attached Waste Storage and Collection Guidance.

Collection Points

Most properties on site will place their bins out as per the council's guidelines, just inside the property boundary at the closest point to the public highway. In these instances the collect crew would collect from these points. However would it be possible that a communal collection point is made available for the following plots at the entrance to their mews: 08, 09, 10, 11, 12? In respect of plots 15-22, south of site,

could the developer confirm the parking court is able to take the weight of our 26 tonne refuse freighter?

Further comments

Please pass our thanks onto the developer for addressing the points we raised in respect of the site layout.

I have referred the amended plans and swept path analysis to one of refuse freighter drivers/supervisor and they are satisfied with the amendments which have been made. We have no further comments or concerns.

6.13 Six third party objections Original plans

- strongly object to the layout on the basis of mix and tenure
- privacy and right to light in relation to The Old Police House
- impact on privacy of 49 Priors Acre from plots 1 and 2, overshadowing, plot 1 not chalet bungalow as agreed
- surface water drainage including the capacity of the pond
- capacity of Tangmere WwTW and ability to cater for the additional development
- water pressure will not be adequate
- scheme too different from that approved at appeal
- request no weekend or evening working to protect neighbour amenity
- all construction parking to be within the site
- impact on wildlife, loss of natural habitat
- ownership and management of access, drainage, sewerage and landscaping
- access road parking deterrent features (wooden posts) will not be effective
- request no overnight parking of commercial vehicles within the development or the Priors Acre street frontage
- increased noise and disturbance on existing residents
- additional concern about damage to existing property (boundary wall bordering site access) from large vehicle access including refuse freighter and emergency vehicles
- reiterated original concerns including increased noise and disturbance, loss of light and overshadowing, particularly from plots 1 and 2, loss of privacy, increased noise and traffic, loss of natural habitat for wildlife
- concerns about management and maintenance of amenity and planting space within the development, how to prevent overspill and commercial vehicle parking and controlling the construction phase
- it is essential that all construction and or site bound vehicles are routed via the A27 and Tangmere roundabout, not through Halnaker (Conservation Area and 7.5 tonne weight limit)

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Boxgrove Parish at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Development Strategy and Settlement Hierarchy
Policy 4: Housing Provision
Policy 5: Parish Housing Sites 2012- 2029
Policy 6: Neighbourhood Development Plans
Policy 8: Transport and Accessibility
Policy 9: Development and Infrastructure Provision
Policy 33: New Residential Development

Policy 34: Affordable Housing
Policy 39: Transport, Accessibility and Parking
Policy 40: Sustainable Design and Construction
Policy 42: Flood Risk and Water Management
Policy 47: Heritage
Policy 48: Natural Environment
Policy 49: Biodiversity
Policy 52: Green Infrastructure
Policy 54: Open Space, Sport and Recreation

7.3 The Boxgrove Neighbourhood Plan 2017-2029 Regulation 14 Pre-submission draft plan is out for consultation. This 6 week period began on 20 September 2017 and ended on 1 November 2017. The plan has not yet been submitted to the Council for Local Authority consultation under Regulation 16 nor been to Examination and therefore carries limited weight at this stage. Although the Parish did not favour this site on the early work on the Neighbourhood Plan, the outline application was permitted on appeal. The application site is not being promoted through the Neighbourhood Plan. The following draft Neighbourhood Plan Policies are relevant to this proposal:

Policy SB1: Settlement boundary/ recognised village envelope
Policy EH1: Protection of trees and hedgerows
Policy EH4: Surface Water Management
Policy EH7: Dark Skies
Policy EE3: Communications Infrastructure
Policy LC1: Support Independent Living
Policy H1: Quality of Design
Policy H2: Housing Mix
Policy H4: Outdoor Space
Policy GA2: Parking in new development

7.4 The application site has however been included within the Emerging Site Allocation Development Plan Document (DPD). Policy BX1 (Land West of The Street) establishes 5 criteria to advise the development of about 25 dwellings on the 0.76ha site. Proposed modifications M6 (clarification on the consideration of minerals) and M7 (confirmation of the site boundary) apply. The DPD has recently been the subject of an Examination and therefore holds moderate weight as a material consideration in the determination of relevant applications.

National Policy and Guidance

- 7.5 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

- 7.6 Consideration should also be given to paragraph 17 (Core planning principles), 32, 34, 35, 39 (Promoting sustainable transport), 47-50 (Delivering a wide choice of high quality homes), 56-61, 63-64 (Requiring good design), 69 (Promoting healthy communities), 109, 115, 118, 120, 123-125 (Conserving and enhancing the natural environment), 183-185 (Neighbourhood planning), 196-197, 203-206 (Decision-taking) and Annex 1 (Implementation).
- 7.7 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

Other Local Policy and Guidance

- 7.8 The following Supplementary Planning Documents are material to the determination of this planning application:

Planning Obligations and Affordable Housing SPD
Surface Water and Foul Drainage SPD

7.9 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application is:

- Support communities to meet their own housing needs

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) The principle of development
- ii) Housing mix and tenure
- iii) The character and appearance of the development
- iv) Noise and residential amenity
- v) Highways and parking
- vi) Landscaping

Assessment

i) The principle of development

- 8.2 The principle of development on this site for 22 houses including the acceptability of the access point was previously considered at appeal in 2015. The Inspector determined that the appeal should be allowed on the basis of the limited weight that could be afforded to the emerging Neighbourhood Plan and that it would significantly boost the provision on housing.
- 8.3 The site has also been included in the emerging Site Allocations Development Plan Document and the settlement boundary for Boxgrove will be extended on the western side to incorporate this site. Moderate weight can now be afforded to the Site Allocations DPD which is at an advanced stage of preparation. The principle of development of this site is therefore established and it should be noted that it contributes towards the Council's 5 year housing land supply.

ii) Housing mix and tenure

- 8.5 The housing mix, as set out in paragraph 3.6 above, is broadly consistent with the SHMA in both affordable and market dwelling mixes. The s106 agreement requires eight affordable dwellings to be provided, consistent with Policy 34 of the CLP. This application proposes eight affordable dwellings, which equates to 37% of the total number of units on the site. The location of the affordable units is proposed in the south of the site, with a mix of 1, 2 and 3 bedroom properties (including flats and houses). Policy 34 requires that affordable dwellings should be grouped in collections no larger than 10 units.
- 8.6 The applicant has amended the layout and mix of market dwellings to be broadly in accordance with the SHMA, with one less 2 bedroom property and 1 additional 4 bedroom property than advised by the SHMA for local needs. As amended the market mix of dwellings is now considered acceptable by CDC Housing Officers.

- 8.7 The housing mix also includes 1.5 storey dwellings (chalet bungalows), which have the flexibility to have a ground floor room changed to a bedroom should the need arise and these are therefore considered to be lifetime homes. These properties are proposed as 2 bedroom properties, but should the ground floor room be converted it would become a third bedroom. This is consistent with the aims of government for healthy communities which supports people of all ages (NPPG).
- 8.8 The housing mix and tenure split proposed is considered to be acceptable. The proposal is in accordance with Policy 33 and Policy 34 of the Chichester Local Plan on the appropriate mix of dwellings, including affordable dwellings.

iii) The character and appearance of the development

- 8.9 This proposal seeks the council's approval for the remaining reserved matters of scale, layout, appearance and landscaping. The development is centred on a central spine road with the 22 houses situated either side of the road. A two storey 'gateway' property is proposed at the junction of the development site with Priors Acre and faces onto the access road. To the east of the spine road is half of the open space provision, together with the one pumping station and five detached dwellings (including 4 chalet bungalows) with on plot parking. The proposed Grade 2 Pumping Station requires a 10m stand-off area and this proposal complies with this distance, as set out in 'Sewers for Adoption 7th Edition', a Southern Water adopted document. A Grade 3 Pumping Station requires a distance of 15m standoff, however the applicant has confirmed that the reduction in Grade is due to more of the development being drained by a gravity fed system.
- 8.10 To the west of the spine road is a mix of 2 storey detached, semi-detached and terraced dwellings. The remaining open space provision is located close to the southern boundary of this site with the A27. The location of the open space allows for a greater separation distance between the southern facades of the nearest dwellings and the A27 carriageway.
- 8.11 The scale of the dwellings at 1.5 or two storeys is consistent with adjacent dwellings and those more widely in the village of Boxgrove which have a semi-rural appearance.
- 8.12 The layout of this proposal is broadly consistent with that shown indicatively on the outline illustrative layout considered at appeal. During the consideration of the application, amendments have been made to the layout, following discussion with officers and the applicant, to ensure that future occupants would not be subject to sub-standard living conditions from noise. As amended the layout also includes a 2m high noise fence on the southern boundary. Noise issues are discussed further below.
- 8.13 The elevation treatment and design of the proposed dwellings reflect the character of the immediate locality and is appropriate for this semi-rural settlement location. Priors Acre directly to the north of the application site is a modern housing development permitted in 1995. There is a mix of flint and boarding treatment to the elevations of the properties in Priors Acre, along with a sympathetic stock brick. This proposal

takes the same elevational and materials approach as Priors Acre and therefore Officers consider that the proposed dwellings would be consistent with the appearance of the area and would respect the local character. It is recommended that materials are controlled by condition. The scale, layout and appearance of the development are consistent with Policy 33 of the CLP.

iv) Noise and residential amenity

- 8.14 This application site is adjacent to the A27. During the course of consideration of the application, the applicant has amended the proposal and clarified, with further investigation, the acoustic environment and the methods which are required to reduce the impact of noise on the future occupiers of the proposed development. CDC Environmental Health Officers are now satisfied that residents of the properties closer to the A27 would not experience harm to their health from noise.
- 8.15 The applicant, during the consideration of the application, has brought the southern building line back further from the A27 carriageway (now a distance of more than 38m; originally 20m) and now proposes a 2m high acoustic barrier. Whilst not delivering a significant perceptible noise reduction, the proposed new and retained vegetation on the southern boundary and the open space separation distance is also considered to be beneficial for the amenity of residents.
- 8.16 The applicant has demonstrated to a technical standard that the measures proposed would mitigate any harmful levels of traffic noise. This includes orientating private gardens to the north of the terraced dwellings (plots 15-22) and minimising bedrooms and habitable rooms on the southern elevations of these properties. The applicant is also proposing to install high standard windows with vent systems to mitigate noise. The applicant has demonstrated with SAP calculations, a technical calculation for Building Regulations on the predicted energy requirement of a building, that the bedrooms on the southern elevations of the terraced dwellings would not be subject to overheating in the summer if the occupant chose to keep the window closed and therefore no boost ventilation is proposed. No additional windows are proposed on side elevations of the terraced dwellings (plots 15- 22).
- 8.17 The orientation of properties and the layout would allow for a satisfactory acoustic environment, with appropriate glazing and vent systems, across the site as a whole. Boxgrove Parish Council has raised concern about the positioning of the affordable dwellings, as the closest dwellings to the southern boundary of the site with the A27, vulnerable to the highest noise levels on the site. CDC Housing Officers consider the affordable dwellings to be acceptable in this location following discussions with affordable housing providers. The applicant is in advanced discussions with affordable housing providers.
- 8.18 It is noted by officers that the private amenity space of the properties to the south of the site (plots 15 -22) are smaller than would normally be required for a new dwelling, with a depth of around 7m. During the course of the application the building line has been brought further north in this area of the site and this has resulted in smaller gardens in order to maintain appropriate access and turning space and provide an area of open space. Whilst it is regrettable that these properties have smaller gardens the overall benefit of a better acoustic environment is positive in the planning balance. There is also opportunity for future residents to use the proposed open space directly

to the south and further open space to the east of the site. The southern area of open space will be a secure space, given the 2m high acoustic barrier on the southern boundary. Conditions are proposed to ensure the implementation of these mitigation measures.

- 8.19 Third party representations have been received during the course of the application raising concerns over amenity harm, including overlooking and increased activity on the eastern boundary. It is considered by officers that the scheme has been sensitively designed to ensure that any impacts from the proposed new development are mitigated. Bungalows feature on the eastern boundary of the site to ensure a low profile and interaction with residents in Priors Acre and Abbots Close to the East.
- 8.20 The Police House lying adjacent to the A27 carriageway and the closest residence to the development would not, in officers opinion, have their amenity harmed by the proposed development. There would be limited opportunity for new residents to overlook the police house by dwellings to the north and west of the property due to proposed boundary treatments, separations distances (17m and 15m) and existing and proposed landscaping. Conditions are proposed to ensure the construction of boundary treatments and delivery of landscaping. Conditions on the outline permission require tree and hedgerow protection during the construction phase.
- 8.21 The outline permission requires the submission of a Construction Environmental Management Plan which would control the impact on the amenity of residents during the construction phase.
- 8.22 The proposed development would not result in a harmful impact on the health and enjoyment of the proposed properties or the amenity of existing properties in Priors Acre and the Police House. The proposal is therefore consistent with Policy 33 and Paragraph 109 of the NPPF in regards of impact of the development on amenity.

v) Highways and parking

- 8.23 The site already benefits from an extant outline permission with an access point agreed. WSCC Highways have therefore restricted their comments on this reserved matters application to car parking and turning provision within the site. The parking provision is on plot, in designated car parking bays or in garages. Cycle parking would be provided in garages or external storage in the gardens. The parking provision (54 spaces) and garage dimensions accord with WSCC guidance.
- 8.24 The applicant has proposed a turning head at the south of the site and has demonstrated the safe manoeuvring of refuse and fire appliance vehicles and therefore neither WSCC highways nor CDC Contract Services object to the application on this basis. Boxgrove Parish Council has objected to the proposal in part to the availability of safe turning, however local and statutory consultees (WSCC and CDC Contract Services) have not made any technical objection as discussed above.
- 8.25 It is considered by officers that this proposal would be in accordance with guidance on parking and turning and therefore accords with Policy 39 of the CLP for planning considerations on highways and transport grounds.

vi) Landscaping

8.26 The landscaping of the site comprises a 3m landscape buffer on the western boundary, in the two areas of open space close to the eastern and southern boundaries as well as to the front of the properties in small front gardens. A variation of the s106 agreement is required to align the open space plan in the s106 agreement with this current layout. The s106 agreement currently secures the open space on the eastern boundary of the site, and this proposal would result in this space divided and part moved to the southern boundary. The overall total of open space as required by the s106 agreement is met across these two areas of open space.

The Parish has raised concerns within their objection to the proposal about the size of the open space. As set out above the open space has been amended to ensure that this provides both usability, visual amenity benefits and a suitable separation distance of properties from the A27 and the sewage pumping station.

8.27 The s106 agreement also secured the location of 3m landscape buffer. The applicant has maintained this 3m buffer to allow appropriate maintenance for the ecological and landscape benefits of retaining the hedgerow feature.

8.28 The landscaping proposed is acceptable and consistent with Policy guidance to increase biodiversity and to ensure the proposal is climate change resilient with plants which are tolerant of low water conditions.

Other matters

8.29 The Parish has raised objection with concern over the ownership of the pumping station for foul drainage. The details of the foul pumping station and its future ownership and management are required by the s106 legal agreement to be submitted and agreed by the LPA. These details are required prior to occupation of the first dwelling. Land has been safeguarded within the layout with sufficient stand-off distance for the development to accommodate the foul infrastructure. It is not reasonable to require details of the foul sewerage prior to the triggers as set out in the legal agreement.

Significant Conditions

8.30 Conditions have been proposed to ensure the development has a positive impact on the local area (implantation and maintenance of landscaping, retention of hedgerow and fencing, materials, sample panel) as well as future occupants (noise mitigation measures including acoustic barrier). Given that this is a reserved matters application, the proposal will also be required to comply with all conditions on the outline permission.

Conclusion

- 8.31 This proposal is the Reserved Matters application for a site with an extant outline planning permission for up to 22 dwellings with access. The site is also a proposed site in the Site Allocations DPD, currently at examination. The proposal's appearance, layout, scale and landscaping are considered to be sympathetic to the character of the area and would not, subject to conditions, result in harm to amenity of existing residents in Priors Acre or Abbotts Close. The proposal has also been sensitively designed to ensure that potential occupiers of the properties would not be subject to harm from noise. Based on the above, it is considered the proposal complies with development plan policies: 1, 2, 5, 33, 34, 39, 40, 42, 47, 48, 49, 52 and 54 and therefore the application is recommended for approval.

Human Rights

- 8.32 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall not be carried out other than in accordance with the approved plans: PRA-MHA-00-ZZ-DRA-A:0001 REV P2 ,0002 REV P1, 0004 REV P15, 0006 REV P6, 0007 REV P8, 0008 REV P6, 0009 REV P5, 0010 REV P8, 0011 REV P6, 0012 REV P8, 0013 REV P7, 0014 REV P10, 0015 REV P8, 0016 REV P6, 0017 REV P4, 0018 REV P4, 0019 REV P4, 0020 REV P4, 0021 REV P3, 0022 REV P5, 0023 REV P4.

Reason: To ensure the development complies with the planning permission.

2) No development shall commence until full details of how the site will be connected to all relevant utilities and services infrastructure networks (including fresh water, electricity, gas, telecommunications and broadband ducting) have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate the provision of suitable infrastructure to facilitate these connections and the protection of existing infrastructure on site during works. The development will thereafter proceed only in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development benefits from appropriate infrastructure. This is required prior to commencement to ensure all appropriate infrastructure is installed at the groundworks stage.

3) No development shall commence on site, including demolition and site clearance, until protective fencing has been erected around all trees, hedgerows, shrubs and other natural features on and adjacent to the site not scheduled for removal in accordance with the recommendations of BS5837:2012. Thereafter the protective

fencing shall be retained for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability. 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.

4) No development shall commence on site, until details and the specification of the 2m acoustic barrier as shown on plan PRA-MHA-00-ZZ-DR-A-0004 REV P15 has been submitted to and approved in writing by the Local Planning Authority. The details shall include the colour of the acoustic barrier. Once approved the acoustic barrier shall be implemented prior to the occupation of any dwelling. Once installed the barrier shall be maintained and fit for purpose in good repair in perpetuity.

Reason: To avoid noise giving rise to significant adverse impacts on health and quality of life as a result of the new development. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission

5) **No development/works shall commence on the superstructure of plot 2** until a sample panel of flint and brickwork to accurately reflect the proposed bond, coursing and finish of the material and the type, composition and profile of the mortar has been constructed, and made available for inspection, on site and has been approved in writing by the Local Planning Authority. The sample panel(s) shall be accompanied by a written specification which shall be submitted to and approved in writing by the Local Planning Authority before the work to the superstructure of plot 2 are begun. The approved sample panel(s) shall be retained on site until the work is completed and the work shall be carried out in full accordance with the approved details.

Reason: To ensure the materials and finishes to be used are appropriate in order to maintain the visual amenity of the development.

6) Prior to the commencement of development, details and the specification of the 2m acoustic barrier as shown on plan PRA-MHA-00-ZZ-DR-A-0004 REV P15 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the colour of the acoustic barrier. Once approved the acoustic barrier shall be implemented prior to the occupation of any dwelling. Once installed the barrier shall be maintained and fit for purpose in good repair in perpetuity.

Reason: To avoid noise giving rise to significant adverse impacts on health and quality of life as a result of the new development. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission

7) Prior to the first occupation of any dwelling, details showing the precise location, installation and ongoing maintenance of the fire hydrants to be supplied (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services. The fire hydrant(s) shall thereafter be maintained as in accordance with the approved details.

Reason: In the interests of amenity and in accordance with The F&RS Act 2004.

8) Before first occupation of any dwelling, the access, turning heads and associated visibility splays shall be implemented in accordance with approved plans 17140-040 P02 and 041 P03 and thereafter retained clear of obstruction.

Reason: To ensure the development is served by appropriate infrastructure.

9) Before first occupation of each dwelling, the parking and turning arrangements for that dwelling shall be provided in accordance with the approved plan PRA-MHA-00-ZZ-DR-A-0004 REV P15 and thereafter retained clear of obstruction.

Reason: To ensure the development is served by appropriate parking infrastructure.

10) Prior to the occupation of each dwelling covered and secure cycle parking spaces have been provided in accordance with plans and details that shall first have been submitted to and approved by the Local Planning Authority. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

11) **No part of the development hereby permitted shall be occupied** until refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

12) **The development hereby permitted shall not be first brought into use** until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the principles set out in the landscape masterplan BAR21001 10 Rev D. The scheme shall include a fully detailed planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and a program for the provision of the landscaping. The landscaping scheme shall also include details of enclosure and boundary treatments. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site.

The approved scheme **shall be carried out in the first** planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice.

Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and the environment and biodiversity value of the site.

13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the garages as shown on approved plan PRA-MHA-00-ZZ-DR-A-0004 REV P15 shall not be used for any purpose other than as a private and domestic garage for the parking of cars incidental to the enjoyment of the associated dwelling house. The garages shall have an internal dimension of 6m x 3m.

Reason: To accord with the terms of the application and to safeguard proper planning of the area and To ensure the adequate provision of onsite parking for the interest of highway safety.

14) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Class A and E; of Part 1 Schedule 2 shall be erected or made on properties shown as plots 11, 12, 13, 14 and 15-22 on site layout PRA-MHA-00-ZZ-DR-A-0004 REV P15 without a grant of planning permission.

Reason: In the interests of protecting the amenity of existing residents in Abbots Close and for new residents in plots 15-22 due to the depth of the gardens.

15) The development hereby permitted shall not be constructed other than in accordance with the materials specified in the External Materials Schedule by Bargate Homes (dated July 2017) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

16) The development, hereby permitted, shall be carried out in complete accordance with the noise mitigation measures as set out in Updated Noise Impact Assessment Technical Report: R7018-1 Rev 3 by 24 Acoustics (dated 14 September 2017) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid noise giving rise to significant adverse impacts on health and quality of life as a result of the new development.

INFORMATIVES

1. The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, sussex.surrey@english-nature.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August). Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000, Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

These make it an offence to:

- Kill or injure any wild bird or bat
- Damage, destroy or take the eggs or nest of any wild bird (when the nest is being built or is in use)
- Damage or destroy the breeding sites and resting places (roost) of certain animals including those used by all bats and certain moths.

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact the local office of Natural England at Lewes for further information (tel: 01273 476595).

If the tree is being used as a breeding site or resting place (roost) by bats, then a Natural England Licence would be required before removal of the tree. You are advised to contact Natural England for more information on 0845 601 4523.

2. Your attention is also drawn to the conditions imposed on the outline planning permission reference APP/L3815/W/15/3138439 (14/03827/OUT) and dated 26 May 2017.

For further information on this application please contact Rhiannon Jones on 01243 534734.