

Parish: Chichester	Ward: Chichester South
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CC/17/03357/FUL

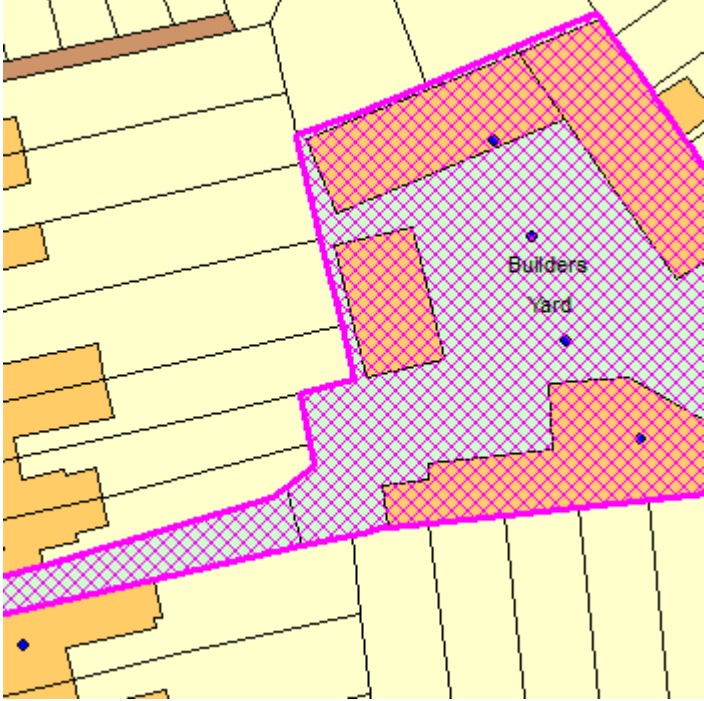

Proposal Demolition of existing structures, construction of 4 no. dwellings and associated landscape works.

Site Providence Works Lyndhurst Road Chichester West Sussex PO19 7PF

Map Ref (E) 486612 (N) 104472

Applicant 77 Property Ltd .

RECOMMENDATION TO PERMIT WITH S106

		
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1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The lawful (and historic) use of the 0.15 hectare site falls within use class B2 (General Industrial) and was used by a metal working forge and joinery manufacturing business connected to a building firm. However, over a number of years the use of the site dwindled, and the site is no longer in operation. . .
- 2.2 The site is located within the settlement policy boundary for Chichester and is surrounded on all sides by residential development which is largely 2 storey and traditional in appearance and construction. The site is also within the Chichester Conservation Area and Flood Zones 2 and 3. The site benefits from permission for 4 dwellings (planning reference 15/04201/FUL); however the permission has not been implemented.
- 2.3 The existing buildings on the site comprise single storey pre-fabricated buildings with corrugated sheet roofing. They are of a modest scale and have a utilitarian appearance. The site is largely enclosed by high boundary walls forming the site boundaries with the surrounding residential development and gated at the end of the access. Access into the site is via a long narrow access drive from Lyndhurst Road and public views into the site are limited.

3.0 The Proposal

- 3.1 The application seeks full planning permission for the demolition of the existing buildings and the change of use of the site from commercial/industrial to residential with 4 detached dwellings and associated parking utilising the existing access.
- 3.2 The proposed dwellings consist of 3-5 bedroom detached properties arranged in a north-south linear arrangement. The most northerly property (plot 1) accommodates 3 bedrooms and a detached double garage to the front, plots 2 and 3 would be 4 bedrooomed, with 2 parking spaces each, whilst plot 4 accommodates 5 bedrooms and is served by 3 parking spaces. 3 further visitor parking spaces are also provided. The permitted scheme comprised 4 no. 4 bedroom detached properties.

This application follows 15/04201/FUL, for which permission was granted for 4 detached dwellings of a similar scale and layout. The main differences between the previous scheme and the proposals are:

Plot 1

- Re-location of a front bay window to from the southern side of the principal elevation to the northern side
- Window and door alterations to the northern side elevation and eastern rear elevation

Plot 2

- Alteration of front storm porch from pitched roof design to flat roof design
- Installation of roof lights to front and rear roof pitches
- Window and door alterations throughout including insertion of loft space window within north facing side elevation
- Additional bedroom and bathroom within loft area

Plot 3

- Window and door alterations throughout
- Installation of roof lights to front and rear roof pitches
- Additional bedroom and bathroom within loft area
- An increase in the depth of the dwelling by 0.94m; to 15.6m.
- An increase in the footprint of the dwelling by 8.96sqm; to 105.77sqm
- An increase in the total floor area of the dwelling by 60.09sqm to 233.13

Plot 4

- Installation of roof lights within front, rear and north facing roof pitches
- Window and door alterations throughout
- Additional bedroom and bathroom within loft area
- An increase in the depth of the dwelling by 0.84m; to 16.4m
- An increase in the height of the dwelling by 0.24m; to 9.52m
- An increase in the footprint of dwelling by 13.71sqm; to 112.27sqm
- An increase in the floor area of dwelling by 66.37sqm; to 244.74sqm

4.0 History

15/04201/FUL	PER	Demolition of existing structures, construction of 4 no. dwellings and associated landscape works.
17/02196/DOC	DOCDEC	Discharge of Conditions 6, 12 and 14 from Planning Permission 15/04201/FUL.

5.0 Constraints

Listed Building	NO
Conservation Area	CC
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

Chichester City Council objects on the grounds of overdevelopment of the site. The proposed dwellings are too large to be served by such small plots. Fewer dwellings or four smaller dwellings would be more appropriate in the interests of the amenity of the proposed residents.

6.2 CDC Waste (summarised)

Provision of Bins:

Individual properties would require one waste and one recycling bin. These come in two different sizes 140 litre or 240 litre, the general rule is for up to two persons in a household we would recommend 140 litre bins, for up to four persons 240 litre bins.

Bin Collection Points:

The plans suggest the bins will be presented for collection outside the gates to the site, access to these gates is via a shared driveway. Our policy on shared driveways is we require the bins to be presented for collection at the entrance to the shared driveway. We would therefore require the suggested collection point to be moved to this entrance to the driveway.

6.3 CDC Environmental Strategy Unit (summarised)

The submitted Bat Survey Report is similar to that which was approved under discharge of condition application 17/02196/DOC. As such, it has been confirmed that it remains acceptable in this instance.

6.4 CDC Environmental Protection (summarised)

No objection.

The recommendation with respect to management of asbestos in soils (section 13.1) should be followed prior to any demolition works take place. An asbestos survey should be undertaken by a specialist contractor to identify where asbestos is present and to determine if the work requires a licence prior to removal. A method statement should be put in place to ensure the safe removal and disposal of the material in order to comply with the Control of Asbestos Regulations 2012.

The recommendation in 13.2 with respect to soils should also be put in place and a remediation strategy should be drawn up for the site and submitted for approval. Contractors should also follow a watching brief during any groundworks at the site both in relation to asbestos and other contaminants that could be present at the site.

No soil testing has been undertaken in the NW corner of the site, it would be prudent to undertake testing in case there is land contamination that requires specialist treatment as part of the remediation scheme.

Recommend conditions PC21 (NW part of the site), PC22 and PO14 in respect of contamination plus a construction management plan.

Secure covered cycle parking and provision for the recharging of electric vehicles should be provided at the site.

6.5 CDC Environmental Health Officer

No objection but the following condition is recommended subject to the application receiving approval:

"Prior to the commencement of any works, the applicant shall submit to and have approved by, the Local Planning Authority, a short construction management plan. The plan shall include, but not necessarily be limited to, details of how noise and dust are to be controlled and minimised during the demolition and construction phases.

6.6 CCAAC

The Committee has very strong objections to this application. We note that the drawings show a significant number of material changes from the previous approved application (CC/15/04201/FUL), including reinstatement of attic windows and an increase both in floor area and height. Specifically, attic bedrooms have been introduced to Units 2,3 &4 with associated rooflights; Unit 1 has increased in height by 0.2m and Units 2 & 3 by 0.3m.; finally, the footprint of Units 3 & 4 have been increased to the rear. They seem, in part, to be a reversion to the content of original superseded plans withdrawn at the request of planning officers during the course of application CC/15/04201/FUL. The additional bedrooms will result in more bedspaces which in turn equate to more people and cars in a development we already consider to be over-dense. This is a simple case of seeking to reinstate parts of the previous application that were withdrawn at the specific request of planning officers on the grounds of over-development. We see no change in circumstances whereby officers can justify reinstatement of such features as well condoning the increased height and footprint of the revised proposals, as to do so will establish dangerous precedent. We are concerned that developers are wasting the time of council planning officers with such deceptive applications.

6.7 WSCC Highways (summarised)

West Sussex County Council was consulted previously on Highway Matters for a similar 4 dwellings application at this location under planning application 15/04201/FUL. No highways concerns were raised and consent was granted by the Local Planning Authority.

This application is similar in principle but represents a revised 4 dwellings scheme. Upon review of the submitted documents the access arrangements to the maintained highway network remain unchanged from the approved scheme.

I have assessed the new parking strategy against the WSCC Car Parking Demand Calculator and can confirm the proposed provision would be considered adequate to meet the needs of the development. I would note the proposed garage for plot 1 should be increase in size to 6 x 6 metres internally to be considered adequately sized to accommodate two vehicles. I would be minded to accept this minor modification could be secured via condition.

Recommend condition to secure cycle parking, parking and turning, garage use and a construction management plan.

6.8 Environment Agency (summarised)

No objection subject to inclusion of a condition to secure the mitigation measures set out in the submitted Flood Risk Assessment.

The site lies in Flood zones 2 and 3. Policy 42 and the NPPF require new development in areas of flood risk to pass the sequential test and exceptions tests.

6.9 Representations

6 third party letters of objection have been received concerning:

- Impact on neighbouring privacy from first and second floor windows
- Overdevelopment of the site/houses too large
- Loss of boundary wall and resulting impact on shade to neighbouring property
- The scheme would re-introduce attic accommodation which was removed from the previous proposal at the request of the planning officer
- Design and scale of buildings not appropriate for the conservation area

2 general letters neither in support or objection to the proposal have also been received requesting clarification on what will replace the original boundary treatments.

7.0 Planning Policy

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 (CLP) and all made neighbourhood plans. Chichester City Council has indicated that they are not proceeding with a Neighbourhood Plan.

Chichester Local Plan: Key Policies (2014-2029)

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 26: Existing Employment Sites
- Policy 33: New Residential Development
- Policy 39: Transport, Accessibility and Parking
- Policy 42: Flood Risk and Water Management
- Policy 49: Biodiversity
- Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas

National Policy and Guidance

7.3 Government planning policy 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.

7.4 Consideration should also be given to paragraph 14 and 17 (Core Principles) and Sections 1, 6, 7, 10 and 11 generally.

7.5 The government's New Homes Bonus (NHB), which was set up in response to historically low levels of house-building, 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.

7.6 The aims and objectives of the Council's Sustainable Community Strategy are material to the determination of this application. These are:

- Maintain low levels of unemployment in the district
- Promote and increase sustainable, environmentally friendly initiatives in the district.

7.7 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 are:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of development and sustainability
- ii) Flood risk and water management
- iii) Design and appearance within the Conservation Area
- iv) Residential amenity
- v) Safeguarding employment
- vi) Highway considerations
- vii) Other matters

Assessment

- i) Principle of development and sustainability

8.2 The application site lies within the Chichester Settlement Boundary and comprises previously development land, surrounded by existing dwellings. The principle of new residential development within the settlement policy boundary is acceptable and there is an extant permission for four no. 4 bedroom dwellings on the site which could be implemented. Although the mix of units has changed to provide 1 smaller and 1 larger dwelling than previously permitted, overall the number of bedrooms (16) remains as previously permitted. Whilst the proposal does not include any smaller dwellings, it is considered that the inclusion of a 3 bedroom unit is a positive change compared with the previous permission for 4 bedroom units. The provision of residential development on the site therefore complies with Policy 1 and 2 of the Chichester Local Plan (CLP), subject to other policies within the Local Plan and detailed criteria. Furthermore, these matters are considered further below.

- ii) Flood risk and water management

8.3 The site lies in Flood Zone 2 and 3 as identified by the Environment Agency flood risk maps. Policy 42 seeks to 'avoid inappropriate development in areas at current or future risk, and to direct development away from areas of highest risk'. It goes on to say that 'development in areas at risk of flooding as identified by the Environment Agency flood risk maps will be granted where the following criteria are met:

- The proposal meets the sequential and exception test (where required) in relation to the National Planning Policy Framework;

8.4 The National Planning Policy Framework states that 'The aim of the sequential test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.' NPPF and NPPG are clear that they should only be developed where it has been demonstrated that the need cannot be met elsewhere. In relation to this application, a sequential test has not been carried out to demonstrate that there are no more suitable sites for residential development within the district outside of the Flood Zone.

- 8.5 Notwithstanding the above, there is an extant permission to develop 4 dwellings on the application site which was permitted by the Council on 12 October 2016. Therefore, although no information has been submitted to demonstrate that there are no other sites available to provide residential development of this scale in areas at a lower risk of flooding, it remains that there is a realistic fall back for the provision of 4 dwellings on the site. It would be unreasonable to refuse planning permission on flood risk grounds when the changes to the proposed development would not materially impact upon flood risk.
- 8.6 The Environment Agency (EA) has raised no objection to the proposal in terms of the flood risk assessment (FRA) submitted. The FRA recommends raising the floor levels and the incorporation of flood mitigation measures. The EA has recommended that a condition be imposed to secure the mitigation measures proposed within the FRA, and that the future occupants of the dwellings are required to sign up to the EA Flood Alerts, to ensure that in the event of a flood the occupiers evacuate the site in advance of a flood event. It is therefore considered that subject to conditions the proposal would effectively manage flood risk in accordance with policy 42 of the CLP.

iii) Design and appearance within the Conservation Area

- 8.7 Section 7 of the NPPF requires good design that improves the overall quality of the area, with Paragraph 56 of the NPPF stating that "good design is indivisible from good planning". Policy 33 of the Local Plan requires new development to meet the highest standards of design and to be appropriate in terms of the proportion, form, massing, siting, scale and detailed design to ensure that proposals respect and where possible enhance the character of the surrounding area and the site.
- 8.8 Furthermore, the application site lies within a Conservation Area where Policy 47 of the Local Plan requires new proposals to 'conserve and enhance the special interest and settings' of Conservation Areas and 'respects distinct local character'. The Chichester Conservation Area Advisory Committee have been consulted on the application and has raised an objection, stating that the inclusion of roof lights and accommodation within the loft space is tantamount to a reversion to a scheme that was amended upon the request of planning officers as part of application 15/04201/FUL. It is also stated that the increased footprints of the buildings and the increased number of bed spaces will lead to further overdevelopment of the site. However, it should be noted that the previous loft space accommodation and associated dormer window elements was removed to overcome concerns that it would create elevated views into adjacent garden areas that would be harmful to the amenity of neighbouring occupiers. In this instance, dormer windows have been replaced by traditional roof lights which would be of a level that would prevent downward views into neighbouring property. A condition is attached to this recommendation that would require the cills of the rooflights to be a minimum of 1.7m above the finished floor level.
- 8.9 From the indicative plans, it is apparent that one dwelling (plot 4) will have an increased height, and that at only 24cm, the view of officers is that this will not represent a significant increase that would affect the perceived scale of the building. It is also recognised that the alterations to plots 3 and 4 would result in increased floor areas of 60.1sqm and 66.37sqm to totals of 233.1sqm and 244.74sqm respectively, but given that most of this would be accommodated within the roof area, the increase in the built footprint of these buildings would only amount to 8.96sqm and 13.71sqm respectively.

It therefore remains the consideration of your officers that the visual impact of the proposed development would remain limited as only glimpses of the proposed dwellings would be visible through the access.

- 8.10 The proposed dwellings would remain two-storey in height, similar to the surrounding properties and will use a combination of hipped natural slate and tile roofing for variation. The flat roof, single-storey additions to the rear of the properties would remain modest and considered to be acceptable.
- 8.11 New side elevation second floor windows are proposed within plots 2 and 3, although these would only serve stairways and as such would not provide frequent or convenient viewing openings. They would also only provide views towards the roof areas of the adjacent proposed dwellings so are not anticipated to be harmful. To prevent further additions to the roof areas that could provide harmful views in the future, a condition could be worded to remove permitted development rights and restrict such works.
- 8.12 The palette of materials proposed for the dwellings would incorporate Sussex brick, traditional construction detailing and the use of dentil eaves and is considered acceptable for the Conservation Area.

iv) Residential amenity

- 8.13 The site is very constrained in terms of the location of neighbouring dwellings with residential properties bordering the site on all sides. The proposed development would replace existing single storey employment use on the site that it is acknowledged has had a low intensity use for the past few years. From this perspective, therefore, any increase in use of the site for either residential or continued commercial use is likely to cause an increase in disturbance to neighbouring dwellings. However, use of the site for residential purposes would be unlikely to lead to a significant adverse impact in terms of disturbance.
- 8.14 The replacement of single storey buildings with 2 storey residential properties is not likely to give rise to overlooking to the properties to the east, specifically due to length of the rear gardens of these properties and the distances to the facades of the properties. The front elevations will have a separation distance of 10.1m at Plot 1 and a face to face distance of approximately 30m which is considered acceptable and in line with guidance.
- 8.15 It is further noted that the side elevations of the end dwellings in plot 1 and plot 4 include narrow bathroom windows which are to be obscure glazed. It is recommended that these windows be conditioned to be obscured to prevent any loss of privacy to neighbouring occupiers occurring. Given the distances involved and the design of the dwellings, it is considered that the proposed development would not have an overbearing impact.
- 8.16 As was established during the consideration of the previous application the matter of loss of light and outlook to neighbouring property is not a significant concern. Some reduction in outlook is balanced against the reduction of the southern boundary wall to 2m which will result in some positive gains. The extensions to plots 2, 3 and 4 do not represent significant increases in height or bulk and as such, it is considered that the amendments would be unlikely to result in significant adverse effects on neighbouring properties.

8.17 Concern has been raised from the surrounding neighbours about the lack of parking and turning on site and the potential for this to cause over flow parking on street surrounding the site. However, the highway authority has raised no objection to the proposals on these grounds.

8.18 With regard to bin storage, CDC Waste Services have commented that access and turning onsite for bin lorries is unacceptable and therefore the bin lorries will not be able to enter the site, meaning they must be collected at the site entrance. The submitted plans indicate that bins will be stored outside of the gates to the site, but CDC waste services has confirmed they will need to be delivered to the front of the access to the site and suggested that the bin storage area be moved adjacent to Lyndhurst Road; however, it is deemed that the current storage location is more appropriate in terms of visibility and it would not be a significant issue for residents to move waste bins 25m for collection once a week.

8.19 Overall, it is therefore considered that the proposed development succeeds in meeting the criteria of Policy 33 of the CLP, which requires proposals to meet the highest standards of design.

v) Safeguarding Employment

8.20 The application site is currently a Builder's Yard which has recently seen activities at the site include metal work forging and joinery manufacturing. The existing site plan also shows buildings labelled as 'workshop', 'offices', 'garaging' and 'vehicle workshop/stores', all of which can be classed as 'B' uses. Policy 26 seeks to retain and safeguard existing employment sites. Should a different use for the land be sought, the policy states that 'planning permission will be granted for alternative uses on land or floor-space currently or previously in employment generating uses where the following criterion is met:

- It has been demonstrated (in terms of the evidence requirements accompanying this policy) that the site is no longer required and is unlikely to be re-used or redeveloped for employment uses.'

8.21 Therefore, to accord with the policy, Appendix E of the Chichester Local Plan requires the site to be appropriately marketed and gives clear details of what is required and what should be done.

8.22 No information has been submitted to demonstrate that marketing has been carried out on the site but it is a consideration that the Planning Committee did not consider that the site was worthy of retention for employment purposes previously. Bearing in mind the location of the site amongst residential development, the previous permission which is extant and the limited use of the site, it is deemed that its change to residential use in this case is acceptable.

vi) Highway Considerations

- 8.23 In highways terms, the extant use of the site, B2 - General Industrial, attracts a busier vehicular usage than if the site was to be used for residential use for 4 dwellings. WSCC Highways officers consider that the proposed development would lead to a less intensively used site and would therefore not lead to a severe impact on the highway network.
- 8.24 Previously the applicant has suggested that the site is not suitable for industrial use due to the access being too narrow, which obliges larger vehicles to unload in Lyndhurst Road causing blockages and traffic congestion. However, the site has been used for B2 employment purposes for over 40 years using the existing access and in light of this fact; the access is considered adequate for such uses.
- 8.25 Further to this, the scheme seeks to provide 2 car parking spaces per dwelling with a further 3 spaces for visitors. The Local Highway Authority has confirmed that this level of provision is suitable, but has suggest a condition be attached to any permission requiring the double garage serving plot 1 to measure a minimum of 6m by 6m to enable it to accommodate 2 cars.
- 8.26 Therefore, from a highways and safety perspective, subject to compliance with suggested conditions, the proposal would meet the requirements of Policy 39 of the CLP to ensure that new development benefits from safe and adequate access and would not have an adverse impact upon the highway network.

vi) Other matters

- 8.27 Given that the scheme requires the demolition of existing buildings, a bat survey report has been submitted which the Council's Environmental Strategy service has been consulted on. It has been confirmed that the document is similar to that which was approved under the discharge of conditions application 17/02196/DOC and therefore is acceptable. It is suggested that a condition be attached to this permission requiring works to be carried out in accordance with the recommendations of the bat mitigation strategy. Therefore the proposed development is in accordance with Policy 49 of the CLP which seeks to safeguard the biodiversity value of the site.
- 8.28 The application results in the creation of 4 no. new dwellings within the Chichester and Langstone Harbours Special Protection Area (SPA) buffer where increases in net residential development are likely to have a significant effect on the SPA. The applicant has previously entered into a unilateral undertaking to provide contributions as part of the previous permission, but given that the required contributions for new residential development has now increased, the applicant is required to enter into a deed of variation to ensure payment of the difference. The Local Planning Authority has sought the outstanding contribution in line with Policy 50 of the CLP.

Conclusion

8.29 Based on the above, it is considered the proposal is in accordance with Chichester Local Plan Policies 1, 26, 33, 49 and 50 as well as the National Planning Policy Framework in large, but fails to comply with Policy 42 of the CLP and relevant NPPF and NPPG guidance in respect of flood risk.

8.30 Therefore, the application is recommended for approval.

Human Rights

8.31 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 WITH S106 subject to the following conditions and informatives:-

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans:

- 6513-1-1
- 6513-1-2 rev. 02
- 6513-1-3 rev. 02
- 6513-2-1
- 6513-2-2
- 6513-2-3
- 6513-2-4
- 6513-2-5
- 6513-2-6
- 6513-2-7
- 6513-2-8
- 6513-2-9 rev. 02

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

3) Notwithstanding any details submitted **no development/works shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters;

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of sheeting for lorries,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary traffic regulation orders),
- measures to control the emission of dust during demolition and construction, lighting for construction and security,
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

5) Before development commences, detailed plans and proposals shall be submitted to the Local Planning Authority for approval showing refuse bin storage (sufficient for 2 no. 240 litre wheeled bins). Once approved, the storage shall be provided for each dwellinghouse and shall thereafter be kept permanently available for the stated purpose.

Reason: To ensure proper provision for refuse disposal.

6) The development hereby permitted shall not be begun until a scheme to deal with contamination of land or groundwater has been submitted prior to the commencement of development and approved by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

(1) A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such

requirement. Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

(2) A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

(i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.

(ii) The requirements of the Local Planning Authority for site investigations have been fully established, and

(iii) The extent and methodology have been agreed in writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.

(3) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a verification report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority.

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 (2) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (3) above. The building hereby permitted shall not be occupied unless and until approval is granted for this Verification Report.

Note - the above requirements shall be carried out in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

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.

Informative: For further information and technical guidance regarding the requirements of this condition applicants should contact the District Council's Environmental Protection Team (01243 785166)

7) No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities. The scheme shall include seeding with a Native British Wildflower Flora mix appropriate to the soil and climate of the site and shall make particular provision for the conservation and enhancement of biodiversity on the application site. The scheme shall be designed to achieve levels of shelter/windbreak, shade and drought resistance to accord with the expected climate changes during the design life of the development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development and to comply with the Natural Environment and Rural Communities Act 2006.

8) Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365 or similar approved, will be required to support the design of any Infiltration drainage. Thereafter no building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason: In the interests of flood risk

9) No development shall commence until a strategy outlining details of the sustainable design and construction for all new buildings, including water use, building for life standards, sustainable building techniques and technology, energy consumption maximising renewable resources, and how a reduction in the impacts associated with traffic or pollution will be achieved including but not limited to charging electric vehicles, has been submitted to and approved in writing by the Local Planning Authority. This strategy shall reflect the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029. The approved strategy shall be implemented as approved prior to first occupation unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change. These details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

10) No part of the development hereby permitted shall be first occupied until the vehicle parking (including garage) and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

11) No part of the development hereby permitted shall be first occupied until 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.

12) No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water drainage onto the public highway.

Reason: In the interests of road safety.

13) Notwithstanding any indication shown on the approved plans and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) prior to the first occupation of the development hereby approved the rooflight windows hereby permitted in the: east and west facing roof planes of plot 2, east and west facing roof planes of plot 3, and north, west and south facing planes of plot 4 shall be constructed, in accordance with the submitted plans, with a cill height of not less than 1.7 metres above internal floor height, and shall subsequently be retained in that condition.

Reason: To protect the privacy of the occupants of the adjoining residential properties.

14) The development shall not be carried out other than in full accordance with the submitted Flood Risk Assessment and the following mitigation measures detailed within the FRA:

i) Finished floor levels are set no lower than 12.96 m above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupant

15) Prior to first occupation of any dwelling hereby permitted a Flood Emergency Plan for each dwelling shall be submitted to the Local Planning Authority for approval in writing. The plan shall include future occupiers signing up for the Environment Agency's Flood Warning Service. Thereafter the dwellings shall not be occupied other than in accordance with the associated Flood Emergency Plan. Thereafter the Flood Emergency Plans for each dwelling shall be maintained by the owner of each dwelling, and the plans shall be reviewed annually, after a change in circumstances, or after a flood event. Each Flood Emergency Plan should be kept up to date and available for inspection if requested by the Local Planning Authority at all reasonable hours.

Reason: In the Interests of managing flood risk effectively.

16) The construction of the development and associated works shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 08:00 hours and 18:00 hours Mondays to Fridays and 08:00 hours and 13:00 hours on Saturdays.

Reason: In the interests of residential amenity.

17) The mitigation plan for bats contained within the bat survey report shall be implemented as approved with an appropriately licenced and qualified bat ecologist being present throughout the plan's implantation.

Reason: In order not to disturb nor deter the roosting of Bats, a species protected by the Wildlife and Countryside Act 1981

18) All wastes should be disposed of in accordance with Waste Regulations and there should be no on-site burning of wastes.

Reason: in the interests of environmental protection

19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargements/alterations of the building(s) in the interests of the proper planning and amenities of the area.

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no windows or other openings other than those shown on the plans hereby approved shall be formed in the wall(s) of the development without a grant of planning permission of the Local Planning Authority.

Reason: To protect the amenities of adjoining residential properties.

21) 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 garage hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the property.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety.

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, Guildbourne House, Chatsworth Road, Worthing, West Sussex, BN11 1LD, 0300 0600300, enquiries@naturalengland.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

2) The applicant is reminded that the Council operate a formal procedure for the discharge of conditions.

Details of this procedure can be found on the Council's website (<http://www.chichester.gov.uk/planningadvice#planningapplications>) or by telephone (01243 534734).

3) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact Fjola Stevens