



## **1.0 Reason for Committee Referral**

Parish Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

- 2.1 The site lies north and east of the junction of the B2198 Bracklesham Lane with Clappers Lane. It comprises a generally flat, level area of approximately 2.1 hectares and adjoins, but is outside of the current settlement boundary for Bracklesham, the northerly extent of which is formed by Clappers Lane. Existing housing, principally in the form of bungalows, line the south side of Clappers Lane facing the application site and a line of dwellings on the north side of Clappers Lane adjoins the east site boundary. To the north and north-east of the site is the Holdens/Island Meadow Parks static caravan and camping park.
- 2.2 The application site comprises the Sussex Downs Holiday Village which was built in the mid-20th century. It contains a mix of 10 no. flat-roofed single storey holiday chalet blocks totalling 121 units, staff accommodation at single storey totalling 22 units and a flat roofed two storey main complex housing a ballroom, dining room, kitchen, games room, bar and arcade. A hotel at first floor in the main complex houses 51 bedrooms. There is an outdoor swimming pool, an outdoor amenity area and car parking to the front of the site for 52 cars, plus an overflow car parking area to the rear for 32 cars. The site is served by a main vehicular access point onto Bracklesham Lane and a secondary access off Clappers Lane. Mature boundary vegetation is located along the southern boundary, screening views of the site from the south. Further mature vegetation is located sporadically on the east, north and west boundaries.
- 2.3 The last permanent use of the site was for catered holiday accommodation. The site was closed down as a holiday park in January 2017. Following the grant of temporary planning permission in December 2017 for a period of one year, the site has been used for the seasonal accommodation of agricultural workers. This current temporary permission expires on 13 December 2018, whereupon the site should revert back to its permanent approved use for holiday/tourism purposes.
- 2.4 The site comprises 'brownfield' or previously developed land. It is also located with the Environment Agency's Flood Zone 1 i.e. a site with the least likelihood of fluvial or tidal flooding.

## **3.0 The Proposal**

- 3.1 This is an application for 85 new homes on the Sussex Downs Holiday Village site of which 30% (26 units) would be affordable homes. The application is submitted in outline form, with all matters reserved, save for access. Matters relating to the final appearance of the development, the scale of the proposed buildings, the landscaping and layout of the site are not for determination under this application, albeit that the proposals are accompanied by a comprehensive submission of illustrative material in this regard. The density of the proposed development is approximately 40 dwellings per hectare.

- 3.2 The proposal would entail the removal of all existing buildings and structures on the site. The two existing vehicular accesses to the site will be re-used for the proposed housing development, with the access to Bracklesham Lane re-positioned slightly further to the south to improve access. On the submitted illustrative or 'Feasibility' Site Layout drawing, 64 no. dwellings are shown served by the Bracklesham Lane access and 21 no. dwellings are served by the access onto Clappers Lane. There is no internal road passing through the site connecting these two accesses.
- 3.3 In terms of the overall housing mix, the development proposes to deliver 4 x 1 bed; 43 x 2 bed; 33 x 3 bed and 5 x 4 bed homes. Specifically the following mix is proposed:

Affordable Housing Mix

	Affordable Rent (70%)	Shared Ownership (30%)	Total
1 bed	4	-	4
2 bed	6	5	11
3 bed	6	3	9
4 bed	2	-	2
<b>Total</b>	<b>18</b>	<b>8</b>	<b>26</b>

Market Housing Mix

1 bed	-
2 bed	32 (54%)
3 bed	24 (41%)
4 bed	3 (5%)
<b>Total</b>	<b>59</b>

Whilst 'scale' remains a reserved matter, the indicative mix is for a development of 2 - 2.5 storey dwellings (flats and houses) with potentially a 3 storey element at the corner junction of Bracklesham Lane with Clappers Lane. There are also 8 no. bungalows which for illustrative purposes are shown fronting Clappers Lane.

- 3.4 In terms of car parking provision the application proposes the following parking ratio:

1 space per 1 bed dwelling = 4 spaces  
 2 spaces per 2 and 3 bed dwellings = 152 spaces  
 3 spaces per 4 bed dwelling = 15 spaces  
 Visitors = 13 spaces

Total car parking spaces = 184

Covered and secure cycle parking at 2 spaces per dwelling is to be provided either in sheds or garages.

#### 4.0 **History**

78/00038/EW	PER	Holiday chalets new block and staff block S.
76/00039/EW	PER	Rebuilding of chalets in blocks D, H-G, K & L.
76/00076/EW	PER	Rebuilding of chalets in blocks known as E,F and M.
99/00315/FUL	PER	Continuance of use without complying with condition 3 of EW/38/78 which states "No chalet shall be occupied before 31st March or after the 31st October in each year".
17/01722/FUL	PER	Change of use of a former holiday park to agricultural workers accommodation and associated works for a temporary period until 31st October 2019.

#### 5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	FZ1
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

#### 6.0 **Representations and Consultations**

##### 6.1 **East Wittering and Bracklesham Parish Council**

The decision is to OBJECT to this planning application. The grounds for objection are as follows:

1) The impact of 85 dwelling will have an adverse effect on the residential amenity of the neighbours in Clappers Lane. They are already suffering from the Wates development of 110 houses in Clappers Lane. The cumulative effect of these developments is having a serious impact on the character of the neighbourhood. It should also be pointed out that East Wittering and Bracklesham has already exceeded the target number of 180 houses specified in the local plan.

2) There is not sufficient capacity within the existing sewage and waste water treatment network to cope with an additional 85 homes. With the volume of additional new homes completed in this area since 2012 feeding into the overall network and in anticipation of the completion of the 110 homes at Clappers Lane, the developer must demonstrate that the capacity from the site to the main sewage network and on to the East Bracklesham Drive Pumping Station is adequate.

3) The two year period of marketing the site as an ongoing tourism business has not yet been completed, and so it is not appropriate to apply for change of use at this time

## 6.2 Earnley Parish Council

Earnley Parish Council objects to the planning application on the following grounds:

### 1. **Tourism**

a) It has not been demonstrated that the site is not suitable for continued use as a leisure and tourist facility. The time the site has been on the market on a long lease or freehold basis has been too short.

b) From speaking with the previous general manager, we do know that the Holiday Village was very popular, with a lot of loyal repeat business and often fully booked. The clientele was mainly older, wealthier couples and families who spent money locally and in Chichester, boosting the district economy. This included coach trips.

c) The issue of asbestos was known by the current owners on purchase and therefore the owner should be responsible for bearing the cost of removal or discounting the sale price accordingly. We agree with Mr Tim Guymer of Planning Policy that serious consideration should be given to marketing the site on a cleared site basis, which may well appeal to those businesses that operate static caravans or equivalent holiday accommodation.

d) We do not accept that the location of the site for tourism is 'poor' or 'disadvantaged'. The site is (as the developers point out) close to East Wittering village centre, close to the beach, very close to bus stops, and close to the beautiful countryside to the east, including Earnley Conservation Area and Medmerry Nature Reserve.

### 2. **Coalescence with Earnley Parish**

a) The eastern end of the existing site is largely devoid of buildings and makes up nearly 25% of the total site. Under the new plans, this will be built over and will therefore coalesce with the existing homes along Clappers Lane. The street scene will be one of ribbon development.

b) Although the proposed development is largely in the parish of East Wittering and Bracklesham, the Clappers Lane entrance is in Earnley, as are all the existing homes along the northern side of Clappers Lane. Please see attached map from Parish Online.

### 3. Transport

a) The predicted extra trips leaving during the morning peak hour, in particular, we believe to be significantly understated. The calculations are partly based on the 2011 Census, but since then over 400 jobs have been lost from the local area, including at Cobham Aerospace (now housing), Earnley Concourse, Northshore Yachts and now, of course, South Downs Holiday Village. Given the shortage of well-paid and full time non-seasonal work on the Manhood Peninsula, it is evident that many new residents will commute off the Manhood for work. Secondary school trips to Chichester will also impact the numbers.

The developer's conclusion that only a net additional 6 vehicles will reach the A27 Stockbridge roundabout during the morning peak hour is not credible and contrary to local

knowledge and experience.

b) It is reasonable to net off trips that would have been generated by the site's previous use as a holiday village. However, having spoken to previous staff members, we do not understand how it could be assumed that 15 staff members (i.e. half of all live out staff) would leave during the morning peak hour; catering, housekeeping and reception staff would be arriving but only night staff (perhaps 3 or 4 at most) would be departing. From our local knowledge we know that a large number of guests arrived and departed by coach, and, in addition, were very keen users of the local bus service.

c) During the Clappers Lane appeal (APP/L3815/15/A/2219554) it was conceded by WSCC Highways that traffic leaving and entering the Manhood Peninsula on the A286 during peak hours is already at 'severe' levels, per paragraph 32 of the NPPF.

d) During the Clappers Lane appeal the inspector accepted what was called the 'line in the sand' argument. This in effect states that even though the traffic impact of each of, say, 5 individual schemes of 100 residences would not be noticeable in themselves, the combined or cumulative impact of 5 such schemes certainly would be, and that therefore at some point the 100 unit schemes should be refused. The inspector drew this point or line at the Local Plan Allocation. East Wittering and Bracklesham has already exceeded its 15 year allocation of 180 homes and rural Earnley has no allocation. Until a comprehensive solution is found to the problems with the junctions on the A27 (in this case, principally the Stockbridge junction with the A286) then developments significantly in excess of the 15 year Local Plan allocations should be refused.

### 4. The Earnley Conservation Area

a) The eastern boundary of the South Downs site is only some 400 metres from the start of the Earnley Conservation Area. Earnley Parish Council is concerned that the additional traffic generated will impact on the peace and tranquillity of this area, something the Conservation Plan highlights.

b) Section 2.3 on page 15 of the Plan covers the control of traffic and states:

*The Parish Council, District Council and County Council engineers could consider methods of 'traffic calming' to reduce traffic through the conservation area. Recommendation: As opportunities arise, the Parish Council, District Council and County Council will continue to seek ways of improving pedestrian safety and reducing traffic in Earnley whilst protecting the special character of the Conservation Area.*

**Conditions:**

In the event that this application is approved, then Earnley Parish Council would need additional funds for it to implement traffic calming measures for the eastern end of Clappers Lane where the lane enters Earnley village over a small bridge, and also for the area around the junction of Bookers Lane and Almodington Lane, including on both roads. In addition, further traffic calming would be required at the road triangle in the centre of Earnley village and Conservation Area. This is in light of the commitment in the Earnley Conservation Area Character Appraisal and Management Proposal document to reduce traffic through the Conservation Area. The developer for the Clappers Lane 110 dwellings site made a significant financial contribution towards traffic calming and therefore it is right that the developer for the South Downs site would make a similar contribution.

Note: Table 3.2 on page 20 of the Transport Assessment contains a significant error: the last service times for bus routes 52 and 53 for the Monday to Friday period are not as shown. As the actual timetable (Appendix A3) makes clear, these evening services only apply for Friday; for the days from Monday to Thursday the last service is some two hours earlier. Table 6.1 on page 33 contains transposed row headings.

**Further Comments received 16.08.2018**

Earnley Parish Council notes the criticism made by Adams Integra in section 7 of their report, where they state that none of the advertising of the site targeted the static caravan holiday market (section 7.2, page 7). In section 7.6 they go on to state that the site was marketed freehold (excluding "back land") at £3m and that this seemingly high price is based on the "arguable" classification of the largest proportion of the site as C3, i.e. as residential housing. It is therefore no wonder that any prospective caravan site purchaser may well have been deterred. In section 8.17 a valuation is put on the site as "bare unserviced land" based on Class B-type development. However it is perhaps more accurate to describe it as "sui generis" and therefore would require a more detailed individual valuation.

It is perhaps worth adding the point that the valuation of 600k per hectare that Adams Integra were happy to accept means a total value for the site of 2.2 x 600k, i.e. £1,320,000 for "bare unserviced land". This could be compared to the Seawards asking price of £3m, although this price is based on any prospective purchaser continuing with the South Downs model for holiday use. This again just highlights the inflated price set by Seawards, partly based on classifying the majority of the site as C3 or residential housing. This of course begs the question - we all know that if Seawards get planning permission for housing that will put the value of the land up BUT they haven't got it yet.

Earnley Parish Council notes from the report (section 8.23) that the site does work financially as a static caravan park where individual plot values approach £30,000. We will not know if this is reasonable until a proper, thorough and realistically priced marketing campaign is undertaken. After all the Manhood is a very popular area for static caravans and other self-catering accommodation and the South Downs site is well positioned with good access, is 800 metres from the sea at Bracklesham and just under a kilometre from the Medmerry Nature Reserve.

Earnley Parish Council would urge that the applicant is refused permission for housing at this stage and instead be asked to carry out a proper, thorough and realistically priced marketing campaign.

### 6.3 Highways England

No objection on the basis that the applicant makes a relevant contribution to the A27 Local Plan mitigations in line with Chichester District Council's SPD 'Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass' of £3,248 per dwelling which equates to £276,080.

### 6.4 Natural England

The application will result in a net increase in residential accommodation within the zone of influence of Chichester and Langstone Harbours SPA/Ramsar site, impacts may result from increased recreational disturbance. However, your authority has measures in place to manage these potential impacts through the agreed Solent Recreation Mitigation Strategy (Bird Aware Solent). Therefore, subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential effects of the development on the SPA/Ramsar and that the proposal should not result in a likely significant effect through recreational disturbance.

### 6.5 Southern Water

Network reinforcement required to negate increased risk of flooding. Southern Water hence requests either a condition stipulating occupation of the development to be phased in order to align with the delivery of new/upgraded sewerage infrastructure, or, the developer can discharge foul flows no greater than existing levels if proven to be already connected and it is ensured that there is no overall increase in flows into the foul system.

### 6.6 Chichester Harbour Conservancy

No objection, subject to subject to securing S.106 SRMP payments (Policy 50 of the Local Plan) prior to commencement of the development.

### 6.7 WSCC - Highways

It has been agreed that a robust assessment for the previously generated trips would be 20 AM and 20 PM trips, this would account for staff and guest movements and can be discounted. TRICS peak hour vehicle rates have been utilised from a nearby residential site in Middleton Close. The applicant has provided an assessment for 90 dwellings in order to provide a robust trip generation. The TA has also placed peak hour generation on top of observed peak hour flows.

The site is anticipated to generate an additional 31 two way vehicle movements in the AM peak and 40 two way vehicle movements in the pm peak. Trips have been distributed and assigned with the same methodology as used for the 110-dwelling scheme at land south of Clappers Lane (14/10806/OUT) which results in:

- Bracklesham Lane (North - Towards A27) - 58%
- Bracklesham Lane (South) - 42%

The site access, Bracklesham Lane(B2198)/Clappers lane and B2179(Stocks Lane)/B2198 junction would all continue to operate under capacity.

The A286 / B2201 Selsey Canal junction [*correction: should read Selsey Tram junction*] is predicted to be over capacity in the future year scenario. The development's impact raised the ratio flow capacity from 1.06 to 1.07 in a 2022 scenario (anticipated completion of works). This would result in an additional 1.8 vehicles in the queue and a 2 second delay. Junction improvements are included within the Chichester CIL schedule and as such subject to the development providing CIL contributions the generated flows would not have a material impact on the operation of the local highway network.

It should be noted that the trip generation associated with the sites former use would likely to be higher in the summer months than the trips that have been discounted and as such no further concerns / assessments are required to consider the summer peak impact.

We are agreeable to a £5,000 contribution towards the signage and road markings to provide a signed cycle route on Bracklesham Lane and Clappers Lane.

*In response to the query raised by Earnley PC regarding the need for the developer to provide a contribution to traffic calming measures further to the Earnley Conservation Area Character Appraisal and Management Proposals, WSCC has commented:*

West Sussex County Council (WSCC) as Highway Authority have not requested a contribution towards traffic calming measures from this application. When requesting any section 106 contribution there must be a reasonable justification to make such a request and any contribution must mitigate the impact of the proposed development rather than addressing existing issues. Any request must also comply with regulation 122 of the Community Infrastructure Levy Regulations (2010). This states that a Section 106 contribution must be,

"(a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development."

In this instance, given that it is forecast that the majority of trips will either be directly accessing Bracklesham Lane or those that will be leaving the site from Clappers Lane the majority will travel west bound, it was not felt that there is a reasonable justification to request a contribution of this nature from this development.

## 6.8 WSCC - Flood Risk Management

No objection. The site is at low risk from surface water flooding. Drainage strategy for the site proposes cellular storage tanks and permeable paving with a restricted discharge to the sewer to control the surface water from the development. Recommend that District Council Drainage Engineer review the drainage systems proposed.

## 6.9 CDC - Drainage Engineer

No objection to the proposed scale, use or location on flood risk grounds, subject to satisfactory surface water (sw) drainage. Proposal to have controlled discharge of sw to foul water sewer is unacceptable. Potential for sw infiltration should be investigated first backed up by winter groundwater monitoring and percolation testing. We believe shallow infiltration is achievable. Soakage structures should not be sited below peak groundwater level and be capable of containing and handling the run-off from a 1 in 100 year storm event plus 40%. SW drainage condition is recommended.

## 6.10 CDC - Archaeology Officer

Agree with conclusions of submitted desk based assessment i.e. that there is some potential for archaeological interest in the site and that it would be appropriate for a scheme of investigation through trial trenching to identify significant archaeological deposits that might be present and may need preservation or recording. Variation of standard condition recommended in this regard.

## 6.11 CDC - Housing Enabling Officer

**Market Housing** - Although the proposed units are not in-line with the SHMA recommendations (35% 1 and 2 bedrooms, 50% 3 bedrooms, 15% 4 bedrooms), the scheme is seeking to deliver a greater number of smaller family units which are generally more affordable and provide suitable accommodation for first time buyers and those wishing to downsize, which is supported. Furthermore, the applicant is seeking to deliver 8 x 2 bedroom bungalows, which the housing delivery team support.

**Affordable Housing** - No objection to the provision which meets SHMA recommendations

## 6.12 CDC - Environmental Health Officer

**Land contamination** - report submitted with application finds that there were no contaminants in excess of human screening values recorded, but full coverage of site not possible due to factors including access restrictions due to active services. Localised contamination cannot be ruled out. Recommend additional site investigation carried out in areas not previously sampled. This can be secured through condition.

**Air quality** - A Construction Environmental Management Plan should be drawn up detailing mitigation measures to control dust and other emissions from construction activities once the site is operational. This can be secured by condition.

#### 6.13 CDC - Environmental Strategy Officer

Any lighting scheme will need to take into consideration the presence of bats. Any works to trees or vegetation should only be undertaken outside of the bird nesting season or if within, under the supervision of an ecologist. Various wildlife enhancements recommended to be incorporated in scheme. Contribution to Solent Recreation Mitigation Partnership to be secured to mitigate for potential recreational pressure impacts on the Chichester Harbour SPA in accordance with LP policy and agreed SPD methodology.

#### 6.14 CDC - Economic Development Officer

Along with agriculture, tourism is the economic backbone of the District. In any area, staying visitors spend significantly more within a local economy than day visitors and this helps underpin the viability of associated businesses such as transport, entertainment, catering and retailing. In Chichester District, only 18.5% (1.2 million) are staying visits. However, staying visits account for 51% of total visitor spend. This is why visitor accommodation is so important to the growth of the economy of this District.

Notwithstanding the above, the Economic Development Service (EDS) acknowledges the Vail Williams Demand and Viability Report submitted with the application for a residential re-development of the site and concur with the conclusions of the subsequent assessment of that report carried out by Adams Integra on behalf of the Council.

EDS understand that the identified financial costs of regenerating this site for either a continuation of the existing tourism use or for new alternative tourism uses are significant and, therefore, likely to prove unattractive to potential investors. It recognises that the comparatively small size of the site and the more favourable location of existing and better-equipped tourism sites elsewhere are important contributory factors in whether a tourism operator would chose to invest in the South Downs Holiday Park. The absence of any firm offers from tourism operators from the marketing exercise would appear to underscore the inherent difficulties and disadvantages of the site for a continued tourism use. Against this background EDS, therefore, accepts that it is necessary for the site owners to look at alternative uses for the site.

## 6.15 Adams Integra - Assessment for CDC of Applicants Viability Appraisal

### Summary

- The cost estimates for refurbishing the existing buildings stated in the Condition Assessment Report appear reasonable.
- The asbestos and site clearance costs are poorly evidenced and are not convincing but need to be balanced against the other relevant factors.
- The marketing appears robust albeit there does not appear to have been a thorough targeting of the holiday and leisure markets or possible operators of holiday villages.
- The viability assessment of alternative holiday lodges or self-catering static caravans is appropriately evidenced, and the conclusions are robust.
- Despite testing the sensitivity to significantly lower site clearance costs and higher Gross/Completed Development Values, the residual site value still falls considerably below an appropriate benchmark or threshold land value considered necessary to make redevelopment for holiday or tourist uses financially viable.
- Therefore, we accept the contention that the re-use of the site for holiday or tourist type uses is not viable.

## 6.16 14 Third Party Objections

- a. Too many house being built in the village which is becoming a town
- b. Infrastructure such as medical services, schools and roads cannot cope
- c. Unsustainable volume of traffic, even worse in summer months
- d. Roads are not fit for purpose and traffic is already at severe levels at peak times
- e. Development does not provide any community facilities
- f. Holiday accommodation is needed to encourage tourist visits
- g. Bracklesham needs to remain a holiday resort
- h. Harmful impact on Earnley Conservation Area
- i. Other housing sites should be considered first
- j. Existing use brings jobs and income to area, not more cars, traffic and people
- k. Extra noise, general disturbance and pollution
- l. Will result in more banal, mass housing
- m. Too dense
- n. Not enough parking
- o. Site has great potential e.g. as a precinct for commercial, retail and public use

## 6.17 4 Third Party Support

- a. Will provide much needed new housing
- b. Will vastly improve the look and feel of the general area replacing a run-down tourist/mobile home development which are over-supplied in the area already
- c. Sensible development on a brownfield site
- d. Makes a change from building on grade 'A' agricultural land which will be needed in future to feed expanding population
- e. Seawards very pro-active in keeping residents informed
- f. Site is fast becoming an eyesore, developers should be allowed to get on with it

## 6.18 Applicant/Agent's Supporting Information

In addition to the Design and Access Statement, the application is accompanied by a comprehensive suite of reports which can be read in detail on the Council's website. The reports cover: Planning Statement; Landscape and Visual Impact Assessment; Ecological Assessment; Five Year Housing Land Supply Report; Demand and Viability Report; Marketing Report; Affordable Housing Statement; Flood Risk Assessment and Drainage Statement; Utilities Assessment; Condition Assessment Report; Archaeological Assessment; Transport Statement and Travel Plan; Arboricultural Assessment; Statement of Community Involvement; Preliminary Geo-environmental and Geotechnical Assessment; Topographical Survey.

## 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 East Wittering/Bracklesham 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 3: The Economy and Employment Provision

Policy 4: Housing Provision

Policy 8: Transport and Accessibility

Policy 9: Development and Infrastructure Provision

Policy 22: Integrated Coastal Zone Management for the Manhood Peninsula

Policy 24: East Wittering and Bracklesham Strategic Development

Policy 30: Built Tourist and Leisure Development

Policy 33: New Residential Development

Policy 34: Affordable Housing

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 45: Development in the Countryside

Policy 49: Biodiversity

Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas

Policy 52: Green Infrastructure

Policy 54: Open Space, Sport and Recreation

7.3 **Policy 30** is particularly relevant to this application and states that where proposals involve the loss of tourist or leisure development, including holiday accommodation, planning permission will only be granted where there is no proven demand for the facility and it can no longer make a positive contribution to the local economy. Appendix E of the Local Plan sets out the requirements.

## National Policy and Guidance

- 7.4 Government planning policy now comprises the National Planning Policy Framework (NPPF) which was revised in July 2018 and National Planning Policy Guidance (NPPG) which is yet to be updated in light of the new NPPF. Paragraph 11 of the revised NPPF states:

*11. Plans and decisions should apply a presumption in favour of sustainable development.*

*For **decision-taking** this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most relevant for determining the application are out-of-date, granting planning permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. 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.*

- 7.5 Consideration should also be given to paragraphs 28-30 (Non-strategic policies and neighbourhood plans), 47 (Determining applications); 54-56 (Planning conditions and obligations), 59, 67, 70, 73-76 (housing), 91-92 (Healthy and safe communities) and 96 (open space and recreation), 102-106, and 108-111 (promoting sustainable transport), 117 (Making effective use of previously-developed or 'brownfield' land), 124-128 (requiring good design), 170, 172 and 174-176 (Conserving and enhancing the natural environment) and Annex 1 (Implementation).
- 7.6 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

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

Planning Obligations and Affordable Housing SPD

7.8 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:

- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Support communities to meet their own housing needs
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

## **8.0 Planning Comments**

8.1 The 3 main issues arising from this outline proposal are:

1. The principle of housing development in the countryside
2. The loss of a tourism use and holiday accommodation
3. The highway impact

### Assessment

#### FIRST ISSUE

8.2 The authorised use of the site as a holiday park ceased in January 2017 when it was closed down. Following a subsequent planning permission in December last year the site is being used for the accommodation of seasonal agricultural workers. This use is for a temporary period only and expires on 13 December 2018, whereupon the site should revert back to its former use as a holiday park.

8.3 The applicant has applied to demolish all existing buildings on the site and erect a housing development of 85 dwellings, 26 of which will be affordable. In planning policy terms the site is just outside of the existing settlement policy boundary for Bracklesham, the northern extent of which is defined by the south side of Clappers Lane. The site is, therefore, within the 'countryside' or the Rest of Plan Area, wherein Policy 45 of the Local Plan restricts development to that which meets an essential, small scale and local need. Within the meaning of Policy 45, a development of 85 dwellings is not considered to comply with all of these criteria.

Chichester Local Plan Policy (CLP) 2 identifies a settlement hierarchy where East Wittering/Bracklesham is defined as a Settlement Hub, second only to Chichester in terms of its overall sustainability for new development. CLP 2 reinforces the point that outside settlement boundaries, development will be restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification. Prima facie, therefore, the proposal to re-develop the site for housing is not supported by two of the key CLP policies designed to shape the pattern and distribution of sustainable new housing in the District.

- 8.4 Whilst the site, in planning policy terms, is defined as being within the 'countryside', it is not within open countryside, nor is it a greenfield site - quite the contrary. The site is previously developed or brownfield land, containing a significant amount of existing buildings and associated hard-surfacing. Established housing located immediately adjacent to the south and east side of the site and a static caravan wrapping around the northern boundary already provide a sense of enclosure. Consequently, the site is not physically or visually isolated, nor does it have the characteristics of being at the edge of settlement, notwithstanding that it lies just outside the CLP settlement boundary. The site boundary is approximately 12 metres from the Miller Homes housing development of 110 homes currently being developed south of Clappers Lane. Given that close proximity and taking into account all of the above circumstances; it is considered that it is also a sustainable site for new housing within the meaning of the NPPF.
- 8.5 The applicant's position, notwithstanding CLP Policies 2 and 45 and the viability of the extant holiday use of the site which is discussed later in this report, is that a housing development in this location adjacent to the boundary of a Settlement Hub represents sustainable development. Furthermore, it is argued that the Council cannot demonstrate a 5 Year Housing Land Supply (5YHLS) or meet its Objectively Assessed [housing] Need (OAN). For this reason, new housing should be permitted. Officers disagree with the latter part of this assessment. The Council is able to demonstrate a 5YHLS based upon the housing requirement set out in the adopted Local Plan pending the outcome of the Local Plan review currently underway.
- 8.6 There is, however, a strong drive from government, reinforced in the revised NPPF to increase housing delivery. Within this context, it should be noted that the Council's 5YHLS (at 5.3 years supply) has been found by some Inspectors at appeal to be either low or 'marginal'. Officers consider that this site being as it is, adjacent to the settlement boundary of a Settlement Hub represents a potentially sustainable development that would contribute to strengthening the Council's 5YHLS position.
- 8.7 The CLP strategic development allocation of 180 dwellings for East Wittering/Bracklesham has already been met through the developments being allowed on appeal at Land South of Clappers Lane (110 dwellings), Pebble Reach (50) and the permission for the Churchill retirement flats on Stocks Lane (23). However, the fact that the Local Plan allocation has been met is not in itself a sound reason to resist further housing development in the locality, particularly where it can be demonstrated that the housing is proposed in an appropriate sustainable location. It is not in itself a ceiling, thereby preventing further housing.

- 8.8 In terms of delivering new housing, the 2015 Local Plan Inspector agreed that the Council should deliver 435 dwellings per year (dpy) against an identified OAN of 505 dpy. Going forward into the Local Plan review it is expected that the Council's housing delivery requirement and OAN will change. Paragraph 117 of the revised NPPF refers in this context to making effective use of existing land. It states that, *'Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land'*. The South Downs Holliday Village is very clearly a brownfield site, the re-use of which for housing would reduce the need to build on greenfield sites and contribute towards the current Local Plan housing requirement. It would also deliver 26 affordable homes in response to meeting local housing need.
- 8.9 Policy 1 of the CLP encourages development to be approved where it is demonstrated that it is sustainable and consistent with the development plan. Whilst there is identified conflict with Policy 2 and elements of Policy 45 of the CLP, it is considered that, in this case, this conflict is outweighed by the benefits of the development. The development makes efficient use of a brownfield site as required by government policy, it is not a site of high environmental value and its re-development would result in no significant harm to the landscape, character or appearance of the area – indeed, it could potentially improve the site's appearance. The site is attached to the settlement boundary of a Settlement Hub, a secondary service centre and would deliver new housing including a sizeable amount of affordable housing at an appropriate density (40dph). In terms of the principle of development, it is considered that the policy conflicts are outweighed by the benefits. However the principle of housing being acceptable pre-supposes that the loss of the last use of the site for holiday/tourism purposes is also acceptable and this important issue is discussed in the next section.

## SECOND ISSUE

- 8.10 The long established use of the site for holiday/tourism purposes has ceased and it was closed down to the public in January 2017. It is currently used for housing seasonal agricultural workers for a temporary one year period up to December 2018. The South Downs Holiday Village provided a traditional catered holiday experience for holidaymakers from the 1950's onwards, with a mix of chalet and hotel accommodation. However, this type of holiday market gradually declined, with the arrival of cheap foreign package holidays in the 1980's, changing tastes in holiday provision and the move away from catered to more self-catering options. The site maintained a limited market for coach trip style holidays, but with reducing incomes and shrinking profit margins maintenance expenditure on the ageing buildings at the site was cut back, thereby leading to a deterioration in the standard of accommodation and the holiday offer generally. Added to that spiral of decline, direct competition from rival holiday operators such as Bunn Leisure, Medmerry Park, Butlins and Holdens Caravan Park that were able to offer a wider range of facilities and a self-catering option, meant that the operation of the site as a viable concern in its original format could not continue.

- 8.11 CLP 30 is very clear in its requirements that *'Proposals involving the loss of tourist or leisure development, including holiday accommodation, will only be granted where there is no proven demand for the facility and it can no longer make a positive contribution to the economy.'* CLP 30 is underpinned by the requirement in Appendix E that any proposal which would result in a policy conflict is accompanied by robust and credible evidence that adequate marketing has occurred in order to support the argument that the property/land is no longer required. Applicants are required to provide evidence that the site has been marketed vigorously and exhaustively for between 12 and 18 months. For loss of tourist/leisure development a viability assessment is also required.
- 8.12 In response to Appendix E, the applicant has submitted a Demand and Viability Report, a Marketing Report and a Condition Assessment Report (assessing the current condition of the building stock on the site). The site has been marketed through Flude as a holiday park since December 2016 initially, until September 2017, on a leasehold only basis. From September 2017 until the present time the site has been marketed on both a leasehold and a freehold basis. The marketing has taken a variety of different forms and includes:- production of a letting brochure; marketing boards on the site frontage; local, regional and national advertising - Chichester Observer Series, Estates Gazette; direct mailing of local applicants and commercial agents; online advertising - Estates Gazette, Perfect Information Property, Zoopla, Rightmove; telephone canvassing.
- 8.13 At the time of the Committee the site will have been marketed on a freehold or leasehold basis for the minimum required period of 12 months. Although the marketing has generated some enquiries, none of the interest has been pursued or translated into any formal offers. The applicant cites some of the reasons for this being concerns about the site condition and layout and the size of the site (too small). To test the credibility and robustness of the marketing exercise and the potential viability of an alternative holiday use of the site (not necessarily relying on the existing buildings but potentially entailing a wholesale clearance and re-development), officers commissioned an independent assessment of the applicant's reports by local property valuers and surveyors, Adams Integra.
- 8.14 The Adams Integra report is summarised at paragraph 6.15 above. It is significant to note that whilst it levels some criticism at aspects of the applicants reports i.e. the site clearance and asbestos removal costs, the lack of specific targeting of the holiday and leisure markets or possible operators of holiday villages, its overall conclusions are that the re-use of the site for holiday or tourist type uses is not a viable proposition. Overall, the marketing is considered to have been robust with the (high) cost estimates for refurbishing the existing buildings appearing reasonable. The applicant's conclusions that alternative holiday lodges or self-catering static caravans are not viable are found to be appropriately evidenced and again robust. To test the applicant's submitted evidence, Adams Integra carried out sensitivity testing of the applicant's findings using significantly lower site clearance costs and higher gross/completed development values. Despite this, the conclusion is reached that the residual site value still falls considerably below an appropriate benchmark or threshold land value considered necessary to make redevelopment for holiday or tourist uses financially viable.

- 8.15 Officers have considered the viability and marketing information carefully in light of the reports received and the separate concerns of Earnley Parish Council in this regard at para 6.2 (under 'Further Comments received 16.08.2018'). Earnley PC is concerned with the price of the land on offer (i.e. that this price is inflated) and has suggested that the site should be valued on a sui generis basis rather than a Use Class C3 basis. It is not considered that this would be a correct approach as the site has a C3 use class (albeit restricted to holiday use only). The approach taken by the applicant's in terms of a marketing price which reflects the use restriction within Use Class C3 and the condition of the existing buildings is accepted by Adams Integra. Earnley PC suggests that that the site does work financially as a static caravan park where individual plot values approach £30k. However, this is contrary to the Adams Integra assessment for the Council which is that it would take a 200% increase in plot values and a 66% reduction in the site clearance costs to make it financially viable to redevelop the site for holiday use.
- 8.16 Attention is also drawn to the comments from the Council's Economic Development Service (EDS) which accept the conclusions of the Adams Integra report. EDS correctly identifies that tourism and holiday accommodation are key parts of the District's economy, particularly on the Manhood Peninsula and so the loss of any site to an alternative use must, therefore, be subject to careful scrutiny. It is considered that the applicant has undertaken what is required by the Local Plan to demonstrate that the South Downs Holiday Village is not a viable proposition going forward for continued holiday use. It appears that a combination of the deteriorating condition of the ageing buildings, the cost of refurbishing or completely removing them, the small overall size of the site, competition from alternative well established, better equipped and arguably better located holiday operators have all proved to be a disincentive to potential investors. Officers, therefore, conclude on the second issue in the context of CLP 30 that the applicant has satisfactorily demonstrated that the site can no longer make a positive contribution to the economy and that as a brownfield site it is acceptable to consider its use for other uses including residential use.

### THIRD ISSUE

- 8.17 Additional traffic movement arising from a residential re-development of the site is potentially a key issue on this application, as it was when the application for the 110 dwellings on the adjacent site south of Clappers Lane was considered. The Committee will note the comments of WSCC Highways (paragraph 6.7) which is to raise no objection to the application. The site is anticipated to generate an additional 31 two way vehicle movements in the AM peak and 40 two way vehicle movements in the pm peak. A discount of 20 AM and 20 PM trips for the current use has been incorporated into the above assessment. WSCC's assessment is that the site access, Bracklesham Lane(B2198)/Clappers Lane junction and the B2179(Stocks Lane)/B2198 junction would all continue to operate under capacity following the development. The A286 / B2201 Selsey Tram junction is predicted to be over capacity in the future year scenario with an additional 1.8 vehicles in the queue and a 2 second delay. However, junction improvements there have been the subject of previous S106 contributions with further funding included within the Chichester CIL Spending Plan 2019/24. The works to the Selsey Tram junction are scheduled to take place in 2020-21. WSCC have concluded that the generated flows would not have a material impact on the operation of the local highway network.

- 8.18 In terms of mitigating the impact of the additional traffic on the A27, Highways England has confirmed that it has no objection to the proposals, subject to the developer making a contribution in line with the formula established by the SPD, which the developer has agreed to do. In addition, the developer has agreed to pay a contribution of £5,000 towards sustainable transport options by enhancing cycling infrastructure along Bracklesham Lane and Clappers Lane with new road markings and signage.
- 8.19 In terms of the potential negative impact of increased vehicle movements from the development through the Earnley Conservation Area, an issue raised by Earnley Parish Council, WSCC Highways has provided a response at paragraph 6.7. It identifies that as the majority of trips will either be directly accessing Bracklesham Lane and the majority of those leaving the site from Clappers Lane will be travelling west bound, a financial contribution towards traffic calming measures in the Conservation Area is not warranted by the findings of the transport assessment.
- 8.20 On the highways issues, therefore, officers are satisfied that the development would not have an unacceptable impact in highway safety terms and that the residual cumulative impact on the road network would not be 'severe' which is the test that the NPPF requires to be passed in order for a proposal not to be refused.

#### OTHER MATTERS

- 8.21 Foul Drainage - Network capacity issues raised by East Wittering and Bracklesham Parish Council and reflected in the consultation response from Southern Water are an important consideration, but do not amount to an objection to the outline planning application. The developer will be required to demonstrate that the total net increase in outflows from the site are catered for in terms of any necessary upgrades to the off-site infrastructure. An appropriately worded condition is attached to the recommendation in this regard. As is the case with most new development which discharges to the public sewer, this will also need to be secured by a separate agreement between the developer and Southern Water as the statutory undertaker to ensure that the development can be satisfactorily drained.
- 8.22 Surface Water Drainage - subject to an appropriately worded condition, both the Council's Drainage Engineer and the WSCC Flood Officer have raised no objection to the application in this regard.
- 8.23 In terms of archaeology, land contamination, ecology and recreational pressure issues at Chichester Harbour SPA, the level of impact arising from the development based on the consultation responses received is considered capable of being acceptably managed through the imposition of appropriately worded conditions and where necessary via a contribution through the section 106 agreement.

### Significant Conditions

8.24 A full schedule of conditions and informatives is proposed at the end of this report. Further detailed information is required by condition on surface water drainage and foul drainage. Whilst 'layout' is not a matter for consideration under this outline application, the illustrative layout that has been submitted has been worked up in some degree of detail and officers are minded to recommend a condition which requires the subsequent reserved matters to have regard to it. This is particularly in respect of elements such as the siting of the proposed bungalows fronting Clappers Lane and the principle of the two separate access points to the site not being linked with an internal through road (for vehicles) as this forms the basis upon which the transport assessment has been modelled.

### Section 106 Agreement

8.25 This proposal requires a s106 agreement to make the development acceptable. Drafting of the agreement is underway and will be subject to the following heads of terms;

- 30% affordable housing (26 units)
- A27 mitigation payment (£276,080)
- Cycle infrastructure contribution (£5,000)
- Real Time Passenger Signs at the north and south bound Clappers Lane bus stops on Bracklesham Lane (this matter remains under discussion)
- Highway works - tactile paving and dropped kerbs Clappers Lane/Bracklesham Lane
- SUDs management and maintenance
- Open Space - management and maintenance
- Chichester Harbour SPA mitigation (formulaic but based on final housing mix)

8.26 This development is liable to pay the Council's CIL charge. The site is located in the south of the district where the charge is £120 per square metre of floorspace.

### Conclusion

8.27 The proposal is for 85 dwellings in Bracklesham Bay on a 'brownfield' site which it has been necessarily demonstrated to the satisfaction of officers is no longer a viable proposition as a catered chalet holiday park or for an alternative holiday/tourism use. The site lies outside, but adjacent to the settlement boundary. It does not occupy an isolated or open countryside setting being enclosed on 3 sides by existing development and Bracklesham Lane on the other. Although the site lies outside the settlement boundary, officers give significant weight in the planning balance to the fact that it lies very close to it and is adjacent to existing residential development.

- 8.28 The loss of a longstanding holiday park is regrettable but the reality is that the site has been in decline for a number of years and is suffering from a lack of maintenance with tired and deteriorating buildings as a consequence. The absence of any alternative holiday park operator or other tourism use coming forward, despite a credible marketing campaign effectively leaves the site in limbo, a situation acknowledged by the Council's Economic Development Service.  
The alternative proposal now before the Committee would contribute 85 dwellings to the current 5 YHLS on a very contained site with no adverse landscape, heritage, wildlife or infrastructure impacts.  
The proposal would not adversely affect the character and appearance of the area and may even enhance it, subject to the subsequent approval of reserved matters and it would not cause harm to neighbouring amenity.
- 8.29 Whilst the proposals are not fully compliant with Policies 2 and 45 of the Chichester Local Plan, any conflict is considered acceptable, having regard to the circumstances set out above. The development represents a reasonably sustainable development which has properly taken into account the environmental, economic and social issues. The site is sustainably located, adjacent to a settlement hub which ranks second only to Chichester in the settlement hierarchy in terms of providing a reasonable range of employment, retail, social and community facilities.
- 8.30 Based on the above it is considered the proposal complies with development plan policies 1, 4, 8, 9, 33, 34, 39, 49, 50 and 54 and, therefore, the application is recommended for approval.

### Human Rights

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**

**DEFER FOR SECTION 106 THEN PERMIT** subject to the following conditions and informatives:-

1) (i) Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority before any development is commenced.

Plans and particulars of the reserved matters referred to in paragraph (i) above, relating to appearance, landscaping, layout and scale shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and to ensure that the full details of the development are approved at the appropriate stage in the development process.

2) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990

3) The development hereby permitted shall not be carried out other than in accordance with the approved plans: 01 DR-A-004 REV P01; 17013-RFT-00-01-DR-A-0001 REV P12; LLD1119/02 REV 00.

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

4) Notwithstanding that 'layout' is a reserved matter, the development hereby permitted shall not be constructed with an internal road for vehicular traffic which connects the site access points at Bracklesham Lane and Clappers Lane.

Reason: To ensure that the resultant distribution of vehicular traffic from the development accords with the transport modelling submitted with the application in the interests of road safety and the impact on the local road network.

5) Notwithstanding that 'layout' is a reserved matter, the general pattern of development shall reflect that shown on the submitted Site Layout Feasibility drawing in terms of the number of dwellings being served by the separate access points on Bracklesham Lane (64 dwellings) and Clappers Lane (21 dwellings).

Reason: To accord with the terms of the application regarding the transport modelling considerations and to ensure that the resultant distribution of traffic from the 2 no. accesses has an acceptable impact on the operation of the local road network.

6) The development hereby permitted shall be designed and constructed to achieve the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029, unless any variation to the requirements of this policy are specifically agreed in writing by the Local Planning Authority.

Reason: To accord with policy 40 of the Chichester Local Plan: Key Policies 2014-2029 and the principles of sustainable development as set out in the NPPF.

7) **No development/works shall commence** on the site until a written scheme of archaeological investigation of the site has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall include proposals for an initial trial investigation and mitigation of damage through development to deposits of importance thus identified and a schedule for the investigation, the recording of findings and subsequent publication of results. Thereafter the scheme shall be undertaken fully in accordance with the approved details, unless any variation is first submitted to and agreed in writing by the Local Planning Authority.

Reason: The site is potentially of archaeological significance. 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.

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. 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: To ensure the efficient maintenance and on-going operation of the SuDs system and to ensure best practice in line with guidance set out in 'The SuDs Manual' CIRIA publication ref: C697 Chapter 22.

9) **Development shall not commence** until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual shall include details of the financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the drainage system continues to function effectively and to prevent flooding.

10) **Before the development hereby permitted is begun**, a scheme showing the proposed means of foul water disposal including all necessary on-site and off-site works shall be submitted to and be approved in writing by the Local Planning Authority, in consultation with Southern Water. Before any phase of the development is first occupied all the off-site works within the approved foul water drainage scheme shall be carried out and completed in full and all the on-site works for that phase of development shall be carried out and completed in accordance with the details shown in the scheme. The responsibility for securing all necessary agreements and permits from the landowner or other party shall rest with the developer.

Reason: To ensure that the proposed development is satisfactorily drained.

11) If the Phase 1 report submitted identifies potential contaminant linkages that require further investigation then **no development shall commence** until a Phase 2 intrusive investigation report has been submitted to and approved in writing by the LPA detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

12) If the Phase 2 report submitted identifies that site remediation is required then **no development shall commence** until a Remediation Scheme has been submitted to and approved in writing to the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. Any ongoing monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy.

13) **No development shall commence** until;

- i) an assessment of the risks posed by any ground gases and/or vapours has been submitted in writing to and approved in writing by the local planning authority. Such an assessment shall be carried out in accordance with relevant guidance, and
- ii) Where the approved risk assessment identifies ground gases or vapours posing unacceptable risks, no development shall begin until a detailed scheme to protect the development from the effects of such contamination has been submitted in writing to and approved in writing by the local planning authority.

Thereafter, unless otherwise agreed in writing with the local planning authority, the approved scheme shall be implemented and a verification report submitted in writing to and approved in writing by the local planning authority, before the development is first occupied/brought into use.

Reason: The site is located in an area with the potential to be affected by ground gases and vapours and therefore compliance with local and national policy must be ensured.

14) **No development shall commence** until full details of the specification and location of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. 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.

15) **No dwelling shall be occupied** until any disused crossovers and/or accesses no longer required as part of the development have been permanently removed and reinstated in accordance with Highway Authority specifications to be submitted to and approved by the Local Planning Authority in consultation with the WSCC as the local highway authority.

Reason: To ensure that any access points not required to serve the development are permanently removed in the interests of road safety.

16) Notwithstanding the Travel Plan details submitted with the application, **no dwelling shall be occupied** on site unless and until revised details have been submitted to and been approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. Once approved the Travel Plan shall be carried out in accordance with those details.

Reason: To ensure that the development delivers suitable alternative sustainable transports options to the private car.

17) Notwithstanding any information submitted to the contrary with the application **no part of the development shall be first occupied** until such time as the vehicular access from Clappers Lane has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the access provides for satisfactory visibility in the interests of road safety

18) **No dwelling hereby permitted shall be first occupied** until such time as the 2 no. vehicular accesses serving the development from Bracklesham lane and Clappers Lane have been constructed in accordance with the approved drawings.

Reason: In the interests of road safety.

19) **Prior to any of the dwellings hereby approved being occupied** details of bat and bird boxes to be installed on dwellings and/or trees shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the boxes shall first be installed prior to the final unit being occupied and shall remain in perpetuity.

Reason: To enhance the biodiversity of the site.

20) **Prior to development commencing** a Construction Management Plan (CMP) shall be submitted to and be approved in writing by the Local Planning Authority after consultation with WSCC as the local highway authority. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

- the phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- Details of street sweeping;
- construction working times including delivery times;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
- Evidence of consultation with neighbours prior to works commencing.
- Details of any temporary traffic management that may be required to facilitate the development including Chapter 8 traffic signage.
- A Section 59 Agreement.

Details of how measures in the CMP will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints and shall be available on site and their availability made known to all relevant parties.

Reason - To ensure safe and neighbourly construction in the interests of amenity and road safety.

## INFORMATIVES

1) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

2) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990.

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 Jeremy Bushell