

Parish:  
Chichester

Ward:  
Chichester South

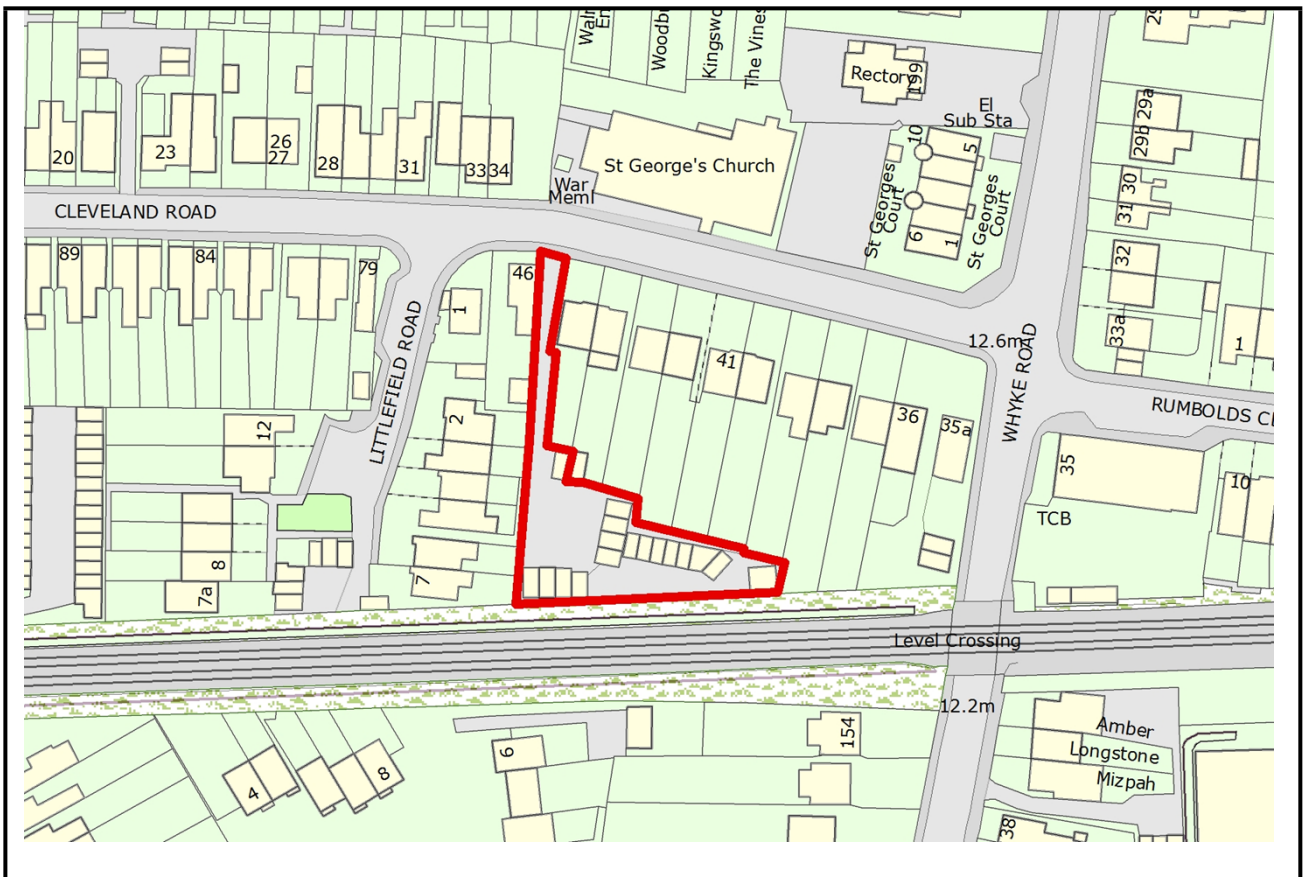
**CC/16/03149/FUL**

**Proposal** Demolish 18 no. existing single storey garages and erect 3 no. buildings with 2 1 bedroom flats and 4 no. 2 bedroom flats and communal courtyard spaces.  
**Site** Garage Compound South Of 39 To 45 Cleveland Road Chichester West Sussex

**Map Ref** (E) 486936 (N) 104358

**Applicant** Mr Warner

**RECOMMENDATION TO DEFER FOR S106 THEN PERMIT**



**NOT TO  
SCALE**

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## **1.0 Reason for Committee Referral**

Parish Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

2.1 The site is located on the southern side of Cleveland Road, situated to the rear of existing residential properties fronting Cleveland Road and the main South Coast railway line (to the east of Chichester Station). The site comprises a largely unused garage compound; located behind the rear gardens of 39-45 Cleveland Road and to the north of the railway line.

2.2 The site is bounded by residential properties to the west and north, toward the eastern end the site tapers to a point. The site is accessed via a long metalled road that runs between two properties fronting Cleveland Road, and opens to a metalled courtyard with garages to the south and east. Several of the garages in this courtyard fall outside the site, within the curtilage of properties fronting Cleveland Road. There is a small gap between two garage blocks to the southeast corner which provides additional access to a further line of garages which front the railway line. This area is laid to a gravelled surface and is bounded to the south by the screen fencing along the northern side of the railway line.

## **3.0 The Proposal**

3.1 The application proposes the demolition of 18 existing garages, in their place erecting three buildings which would contain 2 no. 1 bedroom flats and 4 no. 2 bedroom flats and communal courtyard spaces. The garage at the rear of 44 Cleveland Road would remain and right of access through the courtyard. Amenity space would be provided for each of the proposed dwellings.

3.2 The dwellings are a maximum of two-storeys in height. Where there are flat roofs, these will utilise green roofing systems and photovoltaic panels. The height of the proposal alternates along the boundary between two and one storey segments with the upper storey sections of the proposal designed to break the overall form on the skyline and allow views through, thereby reducing overshadowing.

3.3 The dwellings are accessed through shared landscaped courtyards that divide the development into three blocks, comprising two units per block, and linked by areas of terracing. The outside courtyard spaces are private from neighbouring gardens and separated visually and acoustically from neighbours by the single storey parts of the development.

3.4 The concept for the scheme is to create communal courtyard garden spaces which are shared as an amenity by the units. The living spaces have sliding doors which open onto a courtyard. The units on the first floor are smaller in footprint, with units 4 and 5 both being one bedroom flats. The north and west facades at first floor level are designed to minimise overlooking to neighbouring gardens. Each first floor unit has access to their own outdoor terrace space.

#### 4.0 History

83/00638/CC	REF	Erection of 3 no. 2 bedroom houses.
92/00070/CC	REF	Demolition of 16 no. lock-up garages and the redevelopment with 2 no. 2 bedroom bungalows and garages.
92/00264/CC	REF	Demolition of existing garage and the redevelopment with 1 no. bungalow.
05/03057/FUL	PER	Refurbishment of 18 no. garages and provision of 1 no. additional garage.
13/02061/FUL	APLODG DISMIS	Demolition of garages and redevelopment of site to provide 3 no. x 3 bedroom terraced houses and 1 no. x 2 bedroom flat over new garages to serve the dwellings.
14/02201/FUL	REF	Proposed residential development to form 3 no. 3 bedroom detached houses with associated gardens and garages.
15/00007/REF	ALLOW	Proposed residential development to form 3 no. 3 bedroom detached houses with associated gardens and garages.
16/01276/DOC	APPRET	Discharge of condition 20(1) of Appeal permission APP/L3815/W/14/3001749 or planning application CC/14/02201/FUL.

#### 5.0 Constraints

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

## **6.0 Representations and Consultations**

### 6.1 Chichester City Council

Whilst the provision of smaller residential units is supported in principle; an objection is raised on the grounds of inappropriate design, overdevelopment, and insufficient amenity space for the future occupiers of the units and general concern about the inadequacy of the access for service and emergency vehicles.

### 6.2 West Sussex County Council Highways

The latest proposal seeks the demolition of 18 garages and the erection of 2 x 1 bedroom flats and 4 x 2 bedroom flats at a garage compound south of 39 To 45 Cleveland Road, Chichester.

The site has a reasonable planning history relevant to this application. Application 13/02061/FUL sought demolition of the garages and redevelopment to provide 3 x 3 bedroom terraced houses and 1 x 2 bedroom flat. This application was refused by the LPA and a subsequent Appeal dismissed by the Planning Inspectorate. It should be noted that highways reasons were not considered to be substantive enough to add weight to the decision to dismiss the Appeal.

Subsequently consent was granted at Appeal for the erection of 3 x 3 bedroom detached houses approved under planning application 14/02201/FUL. No highways objection were raised to this proposal.

Given the history of the site and previous comments provided by both the Local Highways Authority and the Planning Inspectorate it would be considered that a small scale residential redevelopment has been considered acceptable in principle. While this application seeks the erection of 6 dwellings rather than the approved 3, the dwellings will be smaller in scale and the trip generation would be considered comparable.

The changes to the size of the proposal will have resulted in a change to the anticipated parking demand for vehicles. I note it is proposed that 5 hardstanding spaces will be provided with a garage space retained, totalling 6 spaces.

It should be noted that WSCC advise garages should measure 3 x 6 metres to be considered allocated car parking spaces. While I appreciate the garage is existing I would be minded to conclude it is likely that the garage would be used for personal storage rather than the parking of a vehicle if allocated to a specific flat. The allocation of parking spaces should be clarified with the applicant. I have assessed this application using the WSCC Car Parking Demand Calculator on the basis that all spaces are to remain unallocated. In this instance a development of this size in this location would attract the demand for 5 car parking spaces. Even with the garage excluded from the parking provision, as discussed above, it would be anticipated that the parking provision proposed would meet the needs of the development. Should the car parking spaces be allocated to specific flats it would be anticipated that 8 spaces would be needed to meet the needs of the development.

Based on the plans and details provided I would be minded to advise the parking provision is provided on an unallocated basis and is secured via condition. If achievable it would be beneficial that the garage annotated 'Car 6' be provided as a hardstanding space rather than a garage.

The applicant proposes a turntable to facilitate the turning of vehicle within the confines of the site. This would be considered acceptable, though some clarity does need to be provided with regard to the details of the provision and how it will be operated and maintained in the future. I would accept that such matters can be dealt with via condition.

In conclusion the LHA does not consider that the latest proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

If the LPA are minded to grant planning consent the following conditions would be advised:

Conditions:

#### Car parking space

No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

#### Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

#### Construction plant and materials

No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

#### Turntable

Prior to the commencement of the development hereby permitted, details of the operation of the mechanism for the turntable and future maintenance requirements and commitments shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the turntable access shall be operated in accordance with the approved details.

Reason: In the interests of highway safety

Informative:

#### Traffic Management

The applicant is advised to contact the WSCC Highways (01243 642105) to discuss traffic control measures that may be required during the constitution process

### 6.3 Environmental Health

I refer to the above development, and having opportunity to look at the Noise Report I have the following observations to make,

1) The modelling shown in the noise report shows that in some instances desirable internal noise level can be achieved even with windows partially open for ventilation. However, in some cases desirable internal noise levels can only be achieved with windows and apertures remaining closed because of the noise from passing trains. The modelling is based on the presence of a 2.0m high close boarded timber barrier along the southern boundary.

2) The report has carried out modelling to show that the presence of a 2.5m closed boarded timber fence (as opposed to a 2m high one as previously proposed) would be required at the southern boundary in order to achieve 'desirable' noise levels in the courtyard gardens. The majority of the courtyard garden west of units 1 and 6, would achieve a 'reasonable' noise level anywhere from 50-55 dB LAeq,T.

3) The noise levels on the proposed balconies at first floor height have not been modelled, but it is likely that the noise levels would be above the upper 'reasonable' 55 dB LAeq,T noise level. However, as noted above it would appear that the occupants have use of communal gardens where the noise level would be lower.

In principle the modelling shows that desirable noise levels at the development can be achieved (excluding the communal garden west of Units 1 & 6) through the use of mitigation measures. However, this would require future occupants to rely on the use of mechanical ventilation in certain rooms and at certain times of the day/night, instead of being able to open windows as is the norm. The noise report states that trickle vents could be used throughout most of the development (apart from mechanical ventilation in the bedroom of Unit 5). However, this would be unsatisfactory because trickle vents would not provide purge ventilation. However, contrary to this, the applicant has stated by email that they are now planning to install mechanical ventilation throughout the whole development.

If planning is minded to approve the application then I recommend that appropriate conditions are attached which states the maximum allowable internal and external noise levels, in addition to a condition which requires the applicant to forward details of the proposed mitigation scheme. Contrary to the noise report, the applicant has also stated that they will now use triple glazing throughout the whole development; however, in some cases the attenuation provided can be poorer than for secondary glazing. Also, I do have some concerns regarding the mitigation measures referred to in the report, in particular the suggested glazing to be used, and the figures that have been used in the BS8233 'rigorous' calculations in Appendix B. Additionally more information about how far the noise barrier will extend around the site boundary is required.

### 6.4 Contract (Waste) Services

#### 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.

#### Site layout/Bin collection point:

I note from the plans submitted the bins are stored within a undercover bin store. This bin store is located some distance into the site and is accessed past allocated parking bays. As

our refuse freighter would be unable to access the site we would require a communal collection point to be made available at the entrance to the site, at the closest point to Cleveland Road.

This point needs to be as near to Cleveland Road as possible to reduce the distance the crews are required to move the bins to the freighter for emptying. Bins would need to be moved to and from this point by residents.

6.5 Third party reps: 10 letters of representation have been received objecting to the application on the following grounds;

- a) significant overdevelopment;
- b) not in accordance with planning policy;
- c) fire risks;
- d) highways and parking concerns; and
- e) overshadowing, overlooking and loss of privacy.

## **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. However, the City Council has indicated that it is not proceeding with a neighbourhood plan.

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

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

### National Policy and Guidance

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

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

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

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

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

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.

The aims and objectives of the Chichester in Partnership Community Strategy 2016-2021 which are relevant and material to the determination of this planning application are:

- 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 main issues arising from this proposal are:

- i) Principle of the development;
- ii) Design and Appearance;
- iii) Impact on the amenity of neighbouring occupiers;
- iv) Highway safety and access;
- v) Noise and impact on future occupiers; and,
- v) Impact on the Chichester and Langstone Harbours Special Protection Area.

### **Background**

8.2 The application site has a number of applications and appeals relating to it; a 2013 application (for 3 no. 3 bedroom terraced houses and 1 no. x 2 bedroom flat) was subject to an appeal against non-determination but subsequently dismissed by a Planning Inspector. Reasons included being oppressive and overbearing from the gardens of Nos 39 to 42 Cleveland Road and one of the proposed dwellings having a significant negative effect on the living conditions of the occupiers of No 7 Littlefield Road. Being family sized dwellings, the Inspector also cited inadequate outside space for future occupiers of the buildings.



8.3 The 2014 application (for 3 no. 3 bedroom detached houses) was refused by the Local Planning Authority but subsequently allowed on appeal. The Inspector concluded that the number of dwellings and size were acceptable. There are a number of differences between the applications and each were dealt with on their own merits, as must this application.

### Assessment

#### i) **Principle of the development**

8.4 The site is located within the defined settlement policy area of Chichester, where there is a presumption in favour of appropriate development, in principle. The site is also a brownfield site, formally used as a garage compound, although it is now in separate ownership from the neighbouring properties. Given the increased size of modern vehicles, the size of the existing garages and surrounding manoeuvring space mean it is no longer suitable for such purposes.

8.5 As noted at para's 8.2 and 8.3 above, there have been several attempts historically to re-develop the site for residential use, and the site now benefits from permission to re-develop the site for 3 no. 3 bedroom detached houses.

8.6 Therefore, having regard to the location of the site, its re-use of a redundant brownfield site and the extant planning permission, it is considered that the principle of re-development is acceptable, and accords with the overarching objectives of the National Planning Policy Framework.

#### ii) **Design and Appearance**

8.7 The current proposal has a more contemporary design than the previous applications, which were more in keeping with the locality. Policy 33 of the Chichester Local Plan, states that proposals should respect and where possible enhance the character of the surrounding area and site, its setting in terms of its proportion, form, massing, siting, layout, density, height, size, scale, neighbouring and public amenity and detailed design.

8.8 Paragraphs 58 and 64 of the NPPF, requires development to 'respond to local character and history and reflect the identity of local surroundings and materials' (para 58) and 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area' (para 64).

8.9 The design approach of the proposed scheme does not particularly relate to the character and form of the surrounding properties but, given the specific circumstances of the site, replacing a group of garages on a back-land site with limited depth, a bespoke approach could be appropriate in this location. The contemporary design of the proposed residential units is of high quality and seeks to make best use of this underdeveloped plot as part of a carefully designed scheme. Whilst the massing and style of the proposal is different to that found fronting the public realm, the back-land location of this site does not contribute significantly to the overall character of the public realm and the proposal offers an inventive solution to its development.

#### iii) **Impact on the amenity of neighbouring occupiers**

8.11 This issue was a significant one in the determination of both the dismissed and allowed appeals. The 2013 scheme was viewed as resulting in significantly greater levels of built form on the site, reduced separation between buildings and in particular more massing and

bulk immediately on the boundaries of the properties to the north (Cleveland Road) and west (Littlefield Road), with the Appeal Inspector stating that *"given the proximity of the proposed dwellings to the rear boundaries of the plots of 39 to 42 Cleveland Road, and the size of the proposed dwellings, including their width which would extend much of the width of the gardens, the proposal would seem oppressive and overbearing from the gardens of Nos 39 to 42"*.

8.12 The 2014 proposal had a reduction in the level of built form, together with a reduction in the massing and bulk of the buildings immediately on the boundaries. This reduction in built form, the separation distances between the three properties, the lengths of the rear gardens on Cleveland Road and in terms of the impact on the occupiers of properties on Littlefield Road (in the main, Nos 6 and 7 Littlefield Road), the Appeal Inspector concluded that *'there would be a significant enhancement rather than a harmful effect on the character and appearance of the area and that the living conditions for future and existing occupiers as regards outlook would at a minimum be satisfactory'*.

8.13 The current application now proposes single storey and two-storey elements, all of which are flat-roofed. This represents a significant change from the previous scheme with the complete removal of any pitched roof elements. The built element is further to the eastern part of the site (units 3 & 5) over the extant permission. The proposed dwellings are closer to the boundary of the rear gardens of Cleveland Road, however, the distance between the existing properties and the proposed dwellings would be over 20m. In dealing with this issue in the previous allowed appeal, in relation to the relationship of the site with the rear of 39 – 45 Cleveland Road, the Inspector noted;

*"those houses have rear gardens in excess of 20m, and whilst the rear part of the gardens would have some sense of enclosure compared to the present open aspect, the distance between the existing and proposed dwellings would be over twice the minimum (of 10m) in the Council's Design Guide. Furthermore, whereas the previous scheme did include a 'wall' of continuous development to the Cleveland Road gardens, the present proposal would have substantial gaps between the three dwellings. Because of the distance to the Cleveland Road dwellings I also do not consider that the outlook from the proposed houses would be oppressive*

8.14 The development now proposed does present a continuous linear form along the northern boundary at single storey level, but is punctuated with gaps between the properties at 2 storeys, in a similar manner to the scheme previously allowed at appeal. This allows for an appropriate relationship between the existing dwellings in Cleveland Road and the proposed dwellings which would be comparable to that allowed on appeal. The western most building (for units 1 & 6) is located at a distance of 7.5m from the residential properties of nos 6 and 7 Littlefield Road (to the west of the site), whereas the extant permission has a single storey garage abutting their gardens, and the two storey elevation 3m from the garden boundary wall. In this respect the proposal represents a betterment in the relationship between the proposal and the adjacent dwellings to the west.

8.15 Turning to matters of potential overlooking, the first floor windows on the northern and western elevations have been designed to only allow for an oblique field of view, away from the neighbouring properties and would therefore not materially impact on the amenity of those neighbouring occupiers. The first floor windows on the south elevation overlook the railway line and the eastern window at first floor level would serve a bedroom, and only overlook the near end of residential gardens. Therefore, the development would not cause demonstrable harm to the amenity of neighbouring occupiers.

iv) **Highway safety and access**

8.16 The site is presently laid out as garages which has a potential for a high level of traffic generation. It is considered that the loss of the garages, and the erection of six new dwellings could significantly reduce the potential traffic generation to and from the site, and given the access already exists, it is considered that the proposals would not cause increased highway safety concerns. WSCC Highways have made comment on the proposals that support this assessment.

8.17 The Council's Waste Services Officer has provided comment on the proposals and sets out that the bin storage facilities will need to be provided as close to the site entrance as possible. Whilst the width of the entrance narrows to 2.5m along its length, (at its narrowest point), adjacent to Cleveland Road the width measures over 4m (4m at the telegraph pole at the site entrance). Therefore it is considered that this can be a matter addressed by way of appropriate conditions applied to any permission and is not insurmountable. This matter was also considered by the Appeal Inspector, who stated: *"Although I note the concerns raised this issue is not insurmountable. This is because it is capable of being addressed by a suitably worded condition"*.

8.18 In terms of car parking, 6no. parking spaces are being provided, sufficient to service the dwellings proposed, within the sustainable location of Chichester City. In addition, car parking provision for the occupiers of number 44 Cleveland Road is to remain.

8.19 Therefore, given the sustainability of the site's location, it is considered that the parking provision is considered acceptable. Regarding the matter of highway safety concerns, the scheme has previously been supported by WSCC as Highway Authority and it is considered that the current development is also considered acceptable.

v) **Noise and impact on future occupiers**

8.20 The previous applications were supported by a Transportation Noise Assessment, updated accordingly for each proposal, and subsequently no objection was raised by the Council's Environmental Health service on these schemes. However this application is sufficiently different, having a different layout and more units, and therefore a new, updated Noise Assessment was requested.

8.21 Having liaised with the Environmental Health Officer and after review of the assessment, they raise no objection to the development. They comment that *'in principle the modelling shows that desirable noise levels at the development can be achieved (excluding the communal garden west of Units 1 & 6) through the use of mitigation measures'*.

8.22 Whilst the siting of sensitive development immediately adjacent to the railway line must be considered carefully, it is characteristic of numerous other properties along the line and within the urban area. It is therefore considered, with appropriate mitigation, that the future amenities of the proposed occupiers of the properties in close proximity to the railway line would be sufficiently safeguarded in this case.

vi) **Impact on the Chichester and Langstone Harbours Special Protection Area**

8.23 The applicant has agreed to enter into a S106 agreement to make a contribution towards the mitigation of the development on the significant harm likely to result in recreational disturbance from the increased level of residential dwellings within the 5.6km

zone of influence around the Chichester and Langstone Harbours Special Protection Area. . It is therefore considered that the scheme would not cause demonstrable harm to the SPA during the lifetime of the development.

### Significant Conditions

8.24 The application is recommended for approval subject to a number of controlling conditions, including the need to comply with the approved plan. Other conditions relate to land and surface water drainage, landscaping, access and parking, compliance with the Noise Assessment, and the submission of details regarding construction management and bin and cycle storage.

### Conclusion

8.25 Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

### Human Rights

8.26 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.

8.27 In reaching the above conclusion Officers have taken into account rights under Article 8 and Article 1 of the First Protocol of Human Rights and concluded there would be no breach if planning permission were to be granted.

### **RECOMMENDATION: DEFER FOR S06 THEN PERMIT**

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2) The development hereby permitted shall be carried out in accordance with the approved plans:

EX-01 - Rev P1; 20 - Rev P2; 21 - Rev P1; 22 - Rev P3; 30 - Rev P2 and 31 - Rev P1

Reason: For the avoidance of doubt and in the interests of proper planning.

3) No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls and roofs of the proposed building(s) and where appropriate surfacing materials have been submitted to and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a building of visual quality.

4) Before development commences, detailed plans and proposals shall be submitted to the Local Planning Authority for approval showing refuse bin storage sufficient for the development. Once approved, the storage shall be provided for each unit and shall thereafter be kept permanently available for the stated purpose.

Reason: To ensure proper provision for refuse disposal.

5) No development shall take place unless and until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected. Once erected they should be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

6) Prior to the commencement of the development hereby permitted, details of the operation of the mechanism for the turntable and future maintenance requirements and commitments shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the turntable access shall be operated in accordance with the approved details.

Reason: In the interests of highway safety

7) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning on site of vehicles;
- (viii) the location of any site huts/cabins/offices.

Reason: To ensure safe and neighbourly construction.

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 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 that the proposed development is satisfactorily drained.

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 is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

10) 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.

11) The development hereby permitted shall not be brought into use unless and until the car parking provision shown on the submitted plans has been provided on site. Once provided the parking provision shall be kept available for that use.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways.

12) The buildings hereby permitted shall not be occupied until space has been laid out in accordance with details approved by the Local Planning Authority for the turning and the parking for vehicles and, where applicable, cycle parking to the required standard clear of the public highway and such space shall not thereafter be used other than for the purposes for which it is provided.

Reason: In the interests of road safety and to accord with approved policy.

13) 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 0700 hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays.

Reason: In the interests of residential amenity.

## INFORMATIVES

- 1) A formal application for connection to the public sewerage system is required in order 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) It is recommended that the developer contacts Network Rail, specifically its Asset Protection South East team at [assetprotectionsussex@networkrail.co.uk](mailto:assetprotectionsussex@networkrail.co.uk) prior to any works commencing on site.
- 3) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal,

in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

For further information on this application please contact Fjola Stevens.