

Parish: Bosham	Ward: Bosham
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BO/16/03327/FUL

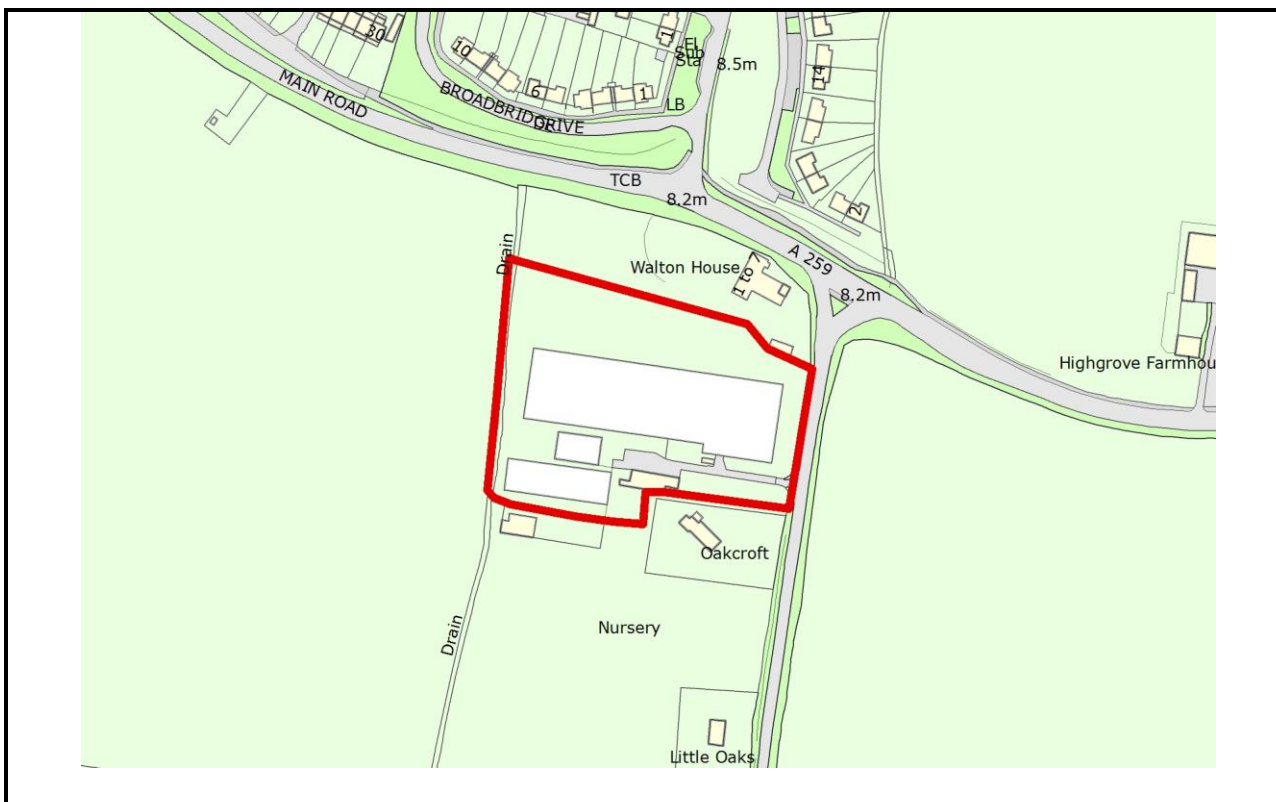
Proposal Variation of condition 2 and 21 from planning permission BO/16/01518/FUL-amendments to plans to allow alterations to proposed building and highway works.


Site Oakcroft Nursery Walton Lane Bosham PO18 8QB

Map Ref (E) 481472 (N) 104923

Applicant St Wilfrid's Hospice (South Coast) Projects Ltd

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site extends to 1.1 hectares and comprises a redundant complex of former nursery buildings accessed off the western side of Walton Lane at a point approximately 90m south of its junction with the A259. The majority of the buildings on site were in a state of disrepair and have since been demolished to make way for the approved St Wilfred's Hospice on the site. A peripheral belt of vegetation serves to screen the site from wider views.

2.2 The northern boundary of the site is flanked by Walton House, a substantial Edwardian property which has been converted into seven flats. To the south of the site lies a large detached dwellinghouse, Oakcroft. Bordering the rear (western) boundary is a large, flat arable field which extends 350m westward to Delling Lane, from where views of the site are available. Similar farmland is located on the eastern side of Walton Lane, with long views towards the site possible from various points on both the A259 and Chequer Lane, a minor road that runs parallel to Walton Lane approximately 400m to the east of the site.

2.3 For the purposes of the Development Plan the site lies within countryside located between the northern and southern boundaries of Bosham Village and Broadridge Settlement Areas respectively. The site is also located within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), the northern boundary of which is formed by the A259.

3.0 The Proposal

3.1 Full planning permission was granted on 11 December 2015 for the demolition of redundant glasshouses and associated buildings, and the construction of a new hospice, stores, café, shops, offices, parking and landscaping, together with a new footway to the A259 (15/01507/FUL).

3.2 The application is for a variation of conditions 2 and 21 from planning permission BO/16/01518/FUL - amendments to plans to allow alterations to proposed building and highway works.

3.3 In relation to Condition 2, minor amendments to the consented scheme are required mainly because of engineering requirements to enable the construction works to be carried out but also as a result of other operational requirements of the Hospice itself.

3.4 The revised plans show proposed changes as follows:

- o The Hayloft building is shown with a raised ridge height to allow the incorporation of Mechanical and Engineering (M&E) plant within the roof space and the achievement of the required acoustic rating in condition 24. These changes provide 180m² of additional second floor useable space including a staircase set against a reduction in the size of the basement by 25m² and the removal of the external staircase.
- o For engineering and construction reasons, the original building configuration and design requires change. The main entrance is now reduced in height with a change in materials to contemporary boarded with slate and zinc roofs. This change provides a clear transition with the Sussex Barn and Granary Building vernacular.
- o The coffee shop area has been extended south with additional glazing.
- o Another ward kitchen is required with better accessibility. These changes have necessitated internal changes to the rooms and a slight increase in the height of the low rise Stables building on its south east side.

- o Due to changes to the external circulation arrangements to accommodate refuse vehicles the oxygen store and refuse storage compounds have been redesigned.
- o The generator previously located in the basement has been relocated to the external generator building and an additional disabled w/c and welfare facility space added for volunteers. The external generator now meets the acoustic requirements of planning condition 24.
- o The roof void in the Granary Building has been utilised to provide approximately 150m² of additional storage space.
- o For construction reasons various door and window positions have been changed including window modules along the courtyard corridors and dormers added to the chapel to allow the reuse of stained glass from the existing Donnington Hospice, and
- o Various internal reconfigurations to the main kitchen ward facilities and main entrance.
- o The car park layout has been amended to the north service road and surface material changed to block paving from tarmacadam for better permeability for surface water discharge. The car park amendments have been the subject of significant negotiation by officers and are now considered acceptable by Waste Services as a low wall has been removed to allow waste lorries to turn on site and the oxygen store has been rotated by 90 degrees to ensure a sufficient distance between the oxygen store and the reversing waste lorry to prevent damage occurring. The diesel refuelling point has also been moved to prevent accidental damage.
- o Alterations to the pedestrian and cycle access from Walton Lane to provide steps and ramped access instead of just a ramp.

3.5 In relation to Condition 21, the applicant has stated that minor alterations are required to the external access arrangements to accommodate wider refuse vehicles within the site. The alterations proposed to the off-site highway works, at the site access with Walton Lane, comprise:

- o modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259
- o alterations to the pedestrian and cycle access to the site, comprising the introduction of a set of steps for pedestrians and the alignment of the cycle ramp, now brings users into the highway at an angle, as opposed to straight on.

These alterations are shown on the highway plan 2014-2404-003 Rev F.

4.0 History

15/01507/FUL

PER

Demolition of existing redundant glasshouses and associated buildings. Construction of new hospice with 18 bedroom inpatient unit and day hospice with associated external stores, cafe, shop, offices car parking and landscaping. New section of footway linking site to the A259 together with associated enhancements to pedestrian crossing facilities.

16/01518/FUL	PER	Variation of condition 6 (part) of planning permission BO/15/01507/FUL. Removal of the need for a further badger survey which shall (i) be submitted to the Local Planning Authority for approval prior to development commencing; and (ii) be carried out no earlier than one month prior to the commencement of the development. This would be achieved by allowing consent for the sett to be demolished under supervision of Ecologist at an earlier date.
16/01985/DOC	DOCDEC	Discharge of conditions 3, 4 and 11 from planning permission BO/15/01507/FUL.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Countryside	YES
AONB	YES
SPA or Zone of Influence	YES
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Bosham Parish Council

No objection to the variation of condition 2 or the amendments to the building. Object to any variation of condition 21 and would expect all off site highway works to be carried out in their entirety prior to the use of the development. Reiterate concerns expressed in objection to Planning Application 15/01505/FUL in that consider the east bound junction of Walton Lane with the A259 has insufficient width to accommodate the large lorries which already use Walton Lane without impeding the progress of traffic turning off the A259 into Walton Lane. Chichester Contract Services have already pointed out their vehicles are larger than the 10m used in the swept path analysis.

6.2 CDC Conservation and Design

No objection. Reduced height of corner entrance feature provides better relationship with adjacent barn element, breaking up the massing of the elevations enhancing overall appearance of group of agricultural type buildings. Light spillage to be kept to a minimum.

6.3 Chichester Harbour Conservancy

No objection. As the proposed change in height to Hayloft building being made to meet noise attenuation measures required by Condition 24, no comments to make to the change. On the main building and the coffee shop area extension - recommend the use of natural boarding such as cedar. Changes to the main entrance building will not make the building more intrusive in the wider landscape. The small increase in ridge height will not make the stables accommodation more intrusive in the AONB landscape. Conservancy wish to see all existing planting and trees protected and retained as indicated on Drawing number LLD938/02.

6.4 Natural England

No comment

6.5 WSCC Strategic Planning Consultation

No objection is raised to the proposed variation of condition.

West Sussex County Council (WSCC), in its capacity as the Local Highway Authority (LHA) has previously provided comment in respect of consultation BO/16/03327/FUL, in which it was recommended that the condition was not discharged. It has been brought to the attention of the LHA by the Local Planning Authority that consent is sought to vary the condition, not discharge. As such, the following report considers the proposal variations and comments contained in this response supersede those previously provided.

Condition 2

The variation of this condition relates to changes within the site. These primarily relate to the configuration of the building, although some modification to the internal circulation is proposed. Comment from Chichester Contract Services is noted, in that the design vehicle used for internal tracking is not of the same length as vehicles used to undertake servicing. Turning within the site is provided, however, this is constrained by the building line and site boundary to the north of the site. Notwithstanding, it would still be possible to turn a slightly longer vehicle with a multi-point manoeuvre. As such, the proposed variation will not have a material impact on the operation of the highway. No objection is raised to the variation of condition 2.

Condition 21

The Applicant has indicated that the variation of condition 21 seeks alteration to the off-site access arrangements in order to accommodate wider vehicles. Having reviewed existing plan 2014/2404/003 Rev E and the new plan 2014/2404/003 Rev F, there appears to be no geometrical change to the off-site highway modifications. Lane widths, road alignment and footway widths are consistent between the two plans. Access has been assessed as part of the original consent, including a Road Safety Audit of the off-site highway improvements, and the access is considered to be in accordance with paragraph 32 of the National Planning Policy Framework.

Modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259 has been included. Through the Section 278 Agreement, it will be necessary to ensure that the crossing is aligned and widths are consistent, to ensure the safety of visibly impaired users.

It is noted that the pedestrian and cycle access to the site has also been modified. A set of steps have been introduced, and the alignment of the ramp now brings users into the highway at an angle, as opposed to straight on. The LHA have no objection to this arrangement, and would be subject to further safety auditing through Stage 2 of the audit process at detailed design.

6.6 Chichester Contract Services

The vehicle size used by the applicants is incorrect. The vehicles are wider and longer than that used by the applicant in the swept path analysis. Concern is raised over the location of the oxygen store and the proximity of the wall/fence to the turning area.

Further comments: Vehicles have not changed in length or width but the guidance now includes the vehicles safety arms which are 1m in length. These are foldable so can be folded in during transit. To clarify the vehicles are 10m in length with safety arms stowed away and 11m when deployed. Transport manager confirmed the drivers are responsible for deciding if the arms need to be folded in. Would be happy to accept the plans detailing the movement of a 10m long vehicle so this area of concern is overcome. Concerns still raised over location of fence and positioning of the oxygen store.

Concern raised that at the back of parking space 81 there appears to be a diesel filling point for the generator giving 2 fuel sources in close proximity to the rear of the freighter on the current plan. Suggest moving the oxygen store to the location of car parking space 81 then adding a parking space next to space 81 then carryout a swept path analysis to see if this would work.

Further comments: Following the submission of further revised plans showing the relocation of the diesel filling point for the generator further to the west, the reorientation of the oxygen store by 90 degrees and the removal of a low wall to allow the refuse vehicles to turn, no objections are raised.

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. The Bosham Neighbourhood Plan was made on 22 November 2016 and forms part of the Development Plan against which applications must be considered.

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

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Development Strategy and Settlement Hierarchy
Policy 3: The Economy and Employment Provision
Policy 6: Neighbourhood Development Plans
Policy 8: Transport and Accessibility
Policy 9: Development and Infrastructure Provision
Policy 38: Local and Community Facilities
Policy 39: Transport, Accessibility and Parking
Policy 40: Sustainable Design and Construction
Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)
Policy 45: Development in the Countryside
Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours
Special Protection Areas

Bosham Neighbourhood Plan:

Policy 1: The Settlement Boundary
Policy 4: Community Facilities
Policy 9: Transport and Highways

National Policy and Guidance

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

7.4 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.

7.5 Consideration should also be given to paragraph 17 (Core Planning Principles), and paragraphs 109-119 (Conserving and enhancing the natural environment).

7.6 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:

- Maintain low levels of unemployment in the district
- Support local businesses to grow and become engaged with local communities
- Promoting and developing a dementia friendly district
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles

- Coordinate and promote services that help those living with low level mental health conditions
- Protect and support the most vulnerable in society including the elderly, young, carers, families in crisis and the socially isolated
- Increase the number of volunteers and trustees in the community/voluntary sector
- Support and empower communities and people to help themselves and develop resilience
- Support communities to meet their own housing needs
- Encourage partner organisation to work together to deliver rural projects and ensure that our communities are not isolated
- 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 the impact of the proposed alterations on:

- o The character of the AONB
- o Neighbouring properties
- o The highway network

Assessment

The impact of the proposed alterations on the character of the AONB

8.2 The approved hospice would have a floor area of 4900m² and a footprint of 3520m². The design rationale is based on a number of linked single and 2 storey elements with the overall approach based on a theme of a range of traditional farm buildings. These comprise:

- (i) The two storey 'Sussex Barn', set back from but parallel to Walton Lane - 11m high with a hipped plain clay tile roof and timber boarded elevations, comprising the entrance to the facility and accommodating the day hospice, café and treatment rooms at ground floor with offices and meeting rooms above;
- (ii) The two storey 'Granary Barn', parallel to the southern boundary - 11m high with a hipped, plain tile roof above brick and flint walls, comprising treatment rooms and storage at ground floor with offices above;
- (iii) The 'Hay Loft', a more contemporary two storey structure located parallel to the northern boundary - 8.8m high with a curved, standing seam metal roof with vertical timber boarding to its elevations, comprising a kitchen and various staff facilities at ground floor with offices and training above;
- (iv) The 'Stables', a range of single storey buildings on the western (rear) part of the site - 5.6m high with a mixture of pitched slate and zinc roofs above brick and stone elevations, accommodating the 18 in-patient rooms together with various communal facilities, treatment rooms and storage;
- (v) A number of small ancillary buildings and structures providing storage for waste, medical gas and maintenance equipment would be located along the northern boundary of the site;

- (vi) 84 car parking spaces would be distributed around the building in 3 locations close to the sites northern, southern and eastern boundaries.

8.3 The proposed alterations to the approved development are not considered to significantly alter the impact of the proposed development on the AONB to the extent that the changes would warrant a refusal of planning permission. The changes are minor in nature and although involve the enlargement of some areas of the hospice, the proposed enlargement is modest and required to allow for some reconfiguration of the building and the incorporation of plant.

8.4 In addition, some of the proposed alterations are considered to lessen the impact on the AONB, for example, by reducing the dominance of the main entrance building due to a reduction in its height and alterations to the materials).

The impact of the proposed alterations on neighbouring properties

8.5 There are no neighbouring properties to the east or west of the site. There are properties to the north and south of the proposed development but these are a sufficient distance (separated by the proposed car parking and some boundary screening) to remain unaffected by the proposed limited changes to the approved scheme.

The impact of the proposals on the highway network

8.6 West Sussex County Council (WSSC) Strategic Planning has raised no objection to the proposed alterations to the approved scheme under condition 2. With regard to condition 21, the WSSC Highway Officer has confirmed that the lane widths, road alignment and footway widths remain as previously granted. No objection is raised to the proposed modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259 and the modification of the pedestrian and cycle access to the site. Through the Section 278 Agreement, the off-site modifications will be subject to further safety auditing through Stage 2 of the audit process at detailed design.

8.7 Bosham Parish Council object to any variation of condition 21 and would expect all off site works to be carried out in their entirety prior to the use of the development. Whilst the comments raised by the Parish Council are noted, the proposed alterations to condition 21 relate to a modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259 and a modification to the cycle ramp accessing the site and the provision of steps for pedestrians. The application is not to discharge condition 21 and neither is the applicant seeking to alter the timescale for completing the off-site works or the relationship between the completion of the offsite highway works and the use of the development.

8.8 The original concerns regarding the access arrangements raised by the Parish Council when the application for the Hospice was approved are noted, but this application does not seek to fundamentally alter the approved plans at the Junction with Walton Lane and therefore whilst noted, the comments are not considered relevant to the consideration of this application. With regard to the off-site access arrangements, the WSSC highway officer has confirmed these details were assessed as part of the original consent, including a Road Safety Audit of the off-site highway improvements, and the access is considered to be in accordance with paragraph 32 of the National Planning Policy Framework.

8.9 Contract Services raises no objection to the vehicle tracking movements as the guidance has changed since the original application and the guidance now includes the

dimensions for the vehicle including the foldaway arms and mirrors. The waste vehicle tracking movements are acceptable.

8.10 The applicant has rotated the oxygen store by 90 degrees to allow more space between the waste vehicle tracking and the oxygen store, has relocated the diesel refuelling point away from the refuse vehicle turning point and removed the low wall opposite the refuse vehicle turning area to allow for the refuse vehicle to turn. No objections to the amended plans have been received from Contract Services.

Significant Conditions

8.11 As this is a variation of condition application for conditions 2 and 21 of planning permission BO/16/01518/FUL, the original conditions for permission BO/16/01518/FUL will be applied. The time limit is to remain as per the extant permission. There are no new significant conditions.

Conclusion

8.12 The proposal for alterations to plans relating to planning permission BO/16/01518/FUL would not result in any landscape, environmental, highway or amenity concerns. The alterations to the approved plans are not considered significant when viewed within the context of the original approved plans and are largely required for operational reasons. Based on the above, it is considered the proposal complies with development plan policies 1, 2, 3, 6, 8, 9, 38, 39, 40, 43, 45 and 50 and therefore the application is recommended for approval.

Human Rights

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

RECOMMENDATION: PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of 3 years from 11th December 2015.

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:

Topographical survey Rev C, PL100A, 101G, 102E, 103F, 104D, 105D, 106C, 107C, 108B, 109B, 110A, 111A, 112, 113A; Existing Massing Models (NE, SE and W), Proposed Massing Models (NE Rev A, SE Rev A and W Rev A); Visual representations 1 and 2.

Lizard Landscape: LLD938/01 Rev 03, 02 Rev04, 03Rev02.

RGP: 2014-2404-001 Rev H, 2014-2404-002 Rev F, 2014-2404-004 Rev G, 2014-2404-005 Rev D, 2014-2404-006 Rev D, 2014-2404-007 Rev D.

Delta Green: 16012-DG-ZZ-EX-DR-E/6316-S2-P2, 6317-S2-P2, 6318-S2-P2, 6319-S2-P2.

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

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

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

4) **No development shall commence**, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

5) **Development shall not commence** until a scheme to deal with contamination of land and/or controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA). Unless the local planning authority dispenses with any such requirement specifically in writing the scheme shall include the following, a Phase 1 report carried out by a competent person to include a desk study, site walkover, production of a site conceptual model and human health and environmental risk assessment, 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.

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.

6) 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.

7) 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 on going 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.

8) **No development shall commence** until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

9) **No development shall commence** until details of the proposed overall site wide surface water drainage scheme has 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 as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water 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. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

10) Notwithstanding any details submitted, **no development shall commence** until details of a system of foul drainage of the site have been submitted to, and approved in writing by the Local Planning Authority. Any variance in the approved details must be agreed in writing with the Local Planning Authority prior to the commencement of any development in relation to the foul drainage of the site. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall take place until the approved works have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: To ensure adequate provision for drainage. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

11) **No development shall commence** on the site until a written scheme of archaeological investigation of the site; has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include; a schedule for the investigation, the recording of findings and subsequent publication of results. Thereafter the scheme shall be undertaken by an appropriately qualified archaeologist 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.

12) Notwithstanding the information contained in the application and approved plans **no development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no buildings 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.

13) Notwithstanding any information submitted with the application **no development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until details of a scheme setting out the means of illuminating the buildings' exteriors, access roads, parking areas and other external areas has been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the scheme shall include details of the means of limiting levels of illumination between the hours of 23:00 and 07:00. The development shall thereafter not be carried out other than in accordance with the approved works.

Reason: In the interests of amenity.

14) **No development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until details of all proposed ventilation and filtration systems have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the detail shall make provision for:

- all cooking smells, noxious fumes or vapours from the premises to be disposed of by means of a suitable duct terminating at a point at least 1m above the roof ridge of the premises. The duct shall be free from any obstruction such as a plate, cowl or cap, or any other deflection at its termination point and with a designed efflux in excess of 12m/sec.
- the maintenance and management scheme of the ventilation and filtration systems.
- the arrangement of such systems such that their operation is ensured during periods when the preparation and/or cooking of food is taking place on the premises.

The use of the development hereby permitted shall not be carried on unless and until the approved systems have been installed in their entirety and thereafter maintained in accordance with the manufacturers recommendations.

Reason: To suppress odours in the environment and ensure the safe use of the site does not have any significant adverse impact on the occupants of residential property.

15) **No development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until the means of disposal and storage of waste arising from the premises has been submitted to and approved in writing by the Local Planning Authority. Once approved the disposal and storage of waste shall not be carried out other than in accordance with the agreed measures.

Reason: To ensure proper provision for refuse disposal.

16) Notwithstanding the information contained in the application and approved plans **no development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities. In addition, all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall including seeding with a Native British Wildflower Flora mix appropriate to the soil and climate of the site and shall make particular provision for the conservation and enhancement of biodiversity on the application site. The scheme shall be designed to achieve levels of shelter/windbreak, shade and drought resistance to accord with the expected climate changes during the design life of the development.

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

17) **No part of the development hereby permitted shall be first occupied** until the road(s), footways, and parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

18) **No part of the development hereby permitted shall be first occupied** until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Walton Lane in accordance with plans and details that shall first have been submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

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

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

20) **The use of the development hereby permitted shall not commence** unless and until the off-site highway works shown in application drawing 2014/2404/003 Rev F have been carried out in their entirety.

Reason: To encourage and promote sustainable transport and in the interests of road safety for non-motorised users.

21) **No part of the development hereby permitted shall be first occupied** until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council as the Local Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document and in accordance with the agreed timescales. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

22) **The use of the development hereby permitted shall not commence** on the site unless and until a scheme which specifies the provisions to be made for the control of noise emanating from all fixed plant associated with the development has been submitted to, and approved in writing by the Local Planning Authority. The noise mitigation scheme shall be implemented and maintained in accordance with the approved details and shall not be altered without the prior written approval of the Local Planning Authority.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

23) The development shall not be carried out other than in accordance with:

- the recommendations set out at Section 6 of the submitted Preliminary Ecological Appraisal dated May 2015 accompanying application 15/01507/FUL
- the ecological enhancement set out at Section 7 of the above report; and
- the recommendations of the Councils Environment Officer in respect of nesting birds as set out in her consultation response to application 15/01507/FUL dated 18 June 2015
- the stick and camera survey, set out in the Bdager Sett Monitoring Report (26th February 2016) accompanying application 15/01507/FUL

Reason: In the interests of the ecology of the site and its surroundings.

24) The development shall not be carried out other than in accordance with the sustainable construction measures set out in Section 9 of the submitted Design and Access Statement.

Reason: To achieve a sustainable form of development.

25) 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.

26) The development hereby permitted shall not be used other than as a hospice providing care to both in and outpatients. Any associated facilities and activities, including administration, fund raising, family support and the proposed cafeteria and shop shall not be provided or carried out other than in a capacity that is ancillary to the primary hospice use. For the avoidance of doubt the development shall not be used for any purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order.

Reason: To accord with the terms of the application and to ensure the use of the building does not have a harmful environmental effect in the interests of amenity.

27) Deliveries by commercial deliveries to and the collection of waste from the development hereby permitted shall not take place other than within the hours of 07.00 and 18.00 hours Monday to Friday (excluding Bank Holidays), and not at any other time unless in the case of an emergency.

Reason: To accord with the terms of the application and to ensure the use of the site does not have any significant adverse noise impact on the occupants of residential property and the surrounding environment.

28) The rating level of the noise emitted from all plant and equipment at the site shall not exceed a level of 30dB LAeq, 1 hr between 07.00 and 23.00 hours during the day and 25dB LAeq, 15 mins between 23.00 and 07.00 at night, at any time post construction and in the absence of any essential maintenance, as determined at the boundary of the nearest residential properties at Oakcroft to the south and Walton House to the north. The measurements and assessment shall be made according to British Standard 4142:2014 or any subsequent revision, accepting that a surrogate measurement position may be selected to determine noise output closer to the plant and equipment in question to predict noise incident at the same receiver locations.

Reason: To protect noise levels in the environment and ensure the use of the site does not have any significant adverse noise impact on the occupants of residential property.

29) All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. **These works shall be carried out in the first planting season after practical completion or first occupation of the development,** whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with the approved designs.

INFORMATIVES

1) With regard to condition 5, the Statement should set out in detail how the level of parking provision will, throughout the course of the construction phase of the development, be sufficient to prevent vehicles parking on the public highway in the vicinity of the site. Where it cannot be demonstrated that adequate on-site provision can be made, the Statement must set out the means and location of any off site parking, which should be clear of the public highway.

2) For further information and technical guidance regarding the requirements of this condition 6 you should contact the District Council's Environmental Protection Team (01243 785166).

3) With regard to condition 10 the design of the scheme 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.

4) With regard to condition 11 the applicant is advised that the developer will need to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.

5) With regard to condition 13 you are advised that:

The Local Planning Authority is unlikely to approve any such scheme unless it has been designed with reference to agreed national standards for outdoor lighting. Such standards include an appropriate Lighting Guide published by the Chartered Institution of Building Services Engineers (CIBSE) (See their Factsheet 7: Environmental Considerations for Exterior Lighting: <http://www.cibse.org/knowledge/cibse-lighting-factfile/lighting-factfile-7-design-and-assessment-of-exterior>); and, in particular 'Guidance Notes for Reduction of Light Pollution', Institution of Lighting Engineers (ILE) www.britastro.org/dark-skies/pdfs/ile.pdf

6) With regard to condition 14 you are advised that:

- a. Prior to the installation of the ventilation system for the disposal and treatment of cooking odours from the premises, the applicant should submit certification from a member of the Heating and Ventilating Contractors Association, or other suitably qualified person, to the Planning authority, confirming that the proposed system will satisfy the requirements of Conditions 14.
- b. Prior to the commencement of the use hereby approved, the applicant should, following the testing of the installation, submit certification from a member of the Heating and Ventilating Contractors Association, or other suitably qualified person, to the Planning Authority, confirming that the installation meets its design specification.

7) With regard to condition 19 you are advised that the Plan should, amongst other things, include details of: the provision and means of physically demarcating an area of the car park that is to be prioritised to be used by staff leaving and arriving during night time hours; practices to be implemented in terms of external storage and waste disposal areas/receptacles; the approach to be taken to the use of emergency vehicles at the site; on-going measures to encourage the adoption of neighbourly practices by members of staff.

8) With regard to conditions 18 and 20 you are advised that it will be necessary to enter into a legal agreement with the Highway Authority in respect of the necessary works within and adjoining the highway.

For further information on this application please contact Claire Coles on 01243 534734.