

# Public Document Pack

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 27 March 2024 at 9.30 am**

MEMBERS: Mr C Todhunter (Chairman), Mr J Cross (Vice-Chairman), Mr R Bates, Mr D Betts, Mr R Briscoe, Mr J Brookes-Harmer, Ms B Burkhart, Mrs H Burton, Mrs D Johnson, Mr S Johnson, Mr H Potter, Ms S Quail and Mrs S Sharp

## SUPPLEMENT TO AGENDA

5 **23/01855/FULEIA - Rolls Royce Motor Cars, The Drive, Westhampnett - REPORT TO FOLLOW (Pages 1 - 75)**

Hybrid Planning Application, Phase 1 (Full application) - erection of new 5 no. buildings for manufacturing and ancillary uses, extension and reconfiguration of existing facility including demolition works and removal of temporary structures, creation of new vehicular access from Roman Road, car and HGV parking and other associated works and infrastructure, including earthworks, drainage, utilities, landscaping and diversion of footpath. Phase 2 (Outline Planning application) - extension to new main building to deliver decked car parking, and new building(s) on existing Stane Street Car Park, for assembly and ancillary uses and other associated works, demolition/site clearance and infrastructure, including earthworks, drainage, utilities and landscaping. (All Matters Reserved except access).

**REPORT TO FOLLOW**

10 **SB/23/01952/FUL - The Sussex Brewery - REPORT TO FOLLOW (Pages 77 - 106)**

Partial demolition, conversion, and alterations of the detached outbuilding adjacent to the public house to create a 3-bedroom chalet bungalow with associated parking and landscaping.

**REPORT TO FOLLOW**



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Parish: Westhampnett	Ward: Goodwood
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**WH/23/01855/FULEIA**

<b>Proposal</b>	Hybrid Planning Application, Phase 1 (Full application) - erection of new 5 no. buildings for manufacturing and ancillary uses, extension and reconfiguration of existing facility including demolition works and removal of temporary structures, creation of new vehicular access from Roman Road, car and HGV parking and other associated works and infrastructure, including earthworks, drainage, utilities, landscaping and diversion of footpath. Phase 2 (Outline Planning application) - extension to new main building to deliver decked car parking, and new building(s) on existing Stane Street Car Park, for assembly and ancillary uses and other associated works, demolition/site clearance and infrastructure, including earthworks, drainage, utilities and landscaping. (All Matters Reserved except access).		
<b>Site</b>	Rolls Royce Motor Cars, The Drive, Westhampnett, Chichester, West Sussex PO18 0SH		
<b>Map Ref</b>	(E) 488512 (N) 106717		
<b>Applicant</b>	Rolls-Royce Motor Cars	<b>Agent</b>	Mr Will Riley, David Lock Associates

**RECOMMENDATION TO DEFER FOR S106 THEN PERMIT**

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

## **1.0 Reasons for Committee Referral**

- 1.1 Departure from the provisions of the Chichester Local Plan: Key Policies 2014-2029.
- 1.2 Contentious application on which officers consider a decision should be made by the Planning Committee.
- 1.3 The application was deferred from 6 March Committee for further clarification of the access options for the development.**

## **2.0 The Site and Surroundings**

- 2.1 The red lined site area the subject of this hybrid application comprises approximately 23.90 hectares (ha). In addition to the existing Rolls Royce manufacturing plant which obtained planning permission in 2001, the site includes an area of approximately 10 ha of undeveloped arable land immediately to the east. The site is approximately 22-25 m above Ordnance Datum (AOD) which rises to approximately 29 m AOD on the mounded area at the eastern side of the existing manufacturing facility. The existing manufacturing plant comprises around 50,000 sqm of modern industrial buildings (five main buildings) set in a partially sunken complex and was designed by architect Sir Nicholas Grimshaw and Partners. It is set in a parkland setting with ponds and extensive tree and shrub planting both formal and informal together with strategically positioned landscaped bunds to enhance the screening effect. The roof of the main building on the site is barrel-vaulted to reflect the undulation of the adjacent downland setting and is planted with a green sedum rich medium, a surface treatment repeated on the other buildings within the complex. The overall result, 20 years on, is a site with a visually enclosed and naturalistic feel which integrates well with its wider setting.
- 2.2 The 10ha land parcel which is broadly triangular in shape comprises an agricultural field, open grassland, intermittent wooded areas and a grassy, tree and shrub planted artificial soil mound. The mound which is directly east of the manufacturing plant was formed during the construction of the existing facility to provide a landscaped bund and screening from the wider environment. The 10ha component of the site is bounded to the south east by Stane Street and to the north east by Sidengreen Lane which is also a bridleway (no. 3583) leading to Sidengreen Farm. A small industrial estate, The Mill, is located adjacent to Sidengreen Lane at the south-east corner of the site with a separate access onto Stane Street. The site is bisected north to south by the line of public footpath no. 417 which links Stane Street to the south with Westerton to the north. The Rolls Royce site has 2 points of vehicular access - one from The Drive which is a dedicated arm off the Madgwick roundabout and is the primary access for executives and visitors, and the other from Stane Street which is the access for shift staff, HGV's, contractors and deliveries. The site is served by three existing car parks – one adjacent to the site entrance off Stane Street (620 spaces), the 'Building 10' car park accessed off The Drive (170 spaces), and the landscaped staff car park off Claypit Lane (492 spaces), opposite The March CoE Primary School. Collectively these provide a total of 1,282 parking spaces.
- 2.3 The site is not located within any Site of Special Scientific Interest (SSSI), it is not within the South Downs National Park or Chichester Harbour National Landscape, a designated Area of Outstanding Natural Beauty (AONB), or any World Heritage Site (WHS) or

Scheduled Monument and is not subject to any statutory or non-statutory designations for nature conservation or heritage.

- 2.4 The site is situated approximately 750 m south of the boundary of the South Downs National Park (SDNP) and is within the 12 Km buffer zone for the Singleton and Cocking Tunnels Special Area of Conservation (SAC) (approximately 660 metres outside the 6.5km conservation buffer zone), designated for their populations of Bechsteins and Barbastelle bat species.
- 2.5 The whole Rolls Royce site is located within Environment Agency Flood Zone 1 i.e. within the lowest risk of flooding. The Council's records indicate the site is not in proximity to any Source Protection Zone. Preliminary indications suggest that the agricultural land classification for that part of the 10ha land parcel which is currently farmed (approximately 7.9 ha) is mostly grade 3a with a smaller proportion of grade 2 at the northern end.
- 2.6 There are several Grade II listed buildings and heritage assets within the vicinity of the site including: The Old Post House, The former Coach and Horses public house and Maudlin Cottage. In addition, the southern site boundary is immediately adjacent to and partly within an Archaeology Priority Area (the Roman road at Stane Street). Further Archaeological Priority Areas are located approximately 285 metres away at Goodwood Airfield to the NW and a Roman/Iron Age settlement site approximately 90 m to the west. The closest conservation area is Chichester which lies approximately 1.4km from the nearest site boundary. The grade I listed Historic Park and Gardens at Goodwood House are just beyond a 1km radius taken from the nearest part of the red lined site.
- 2.7 The closest residential properties at Maudlin are opposite the 10 ha site on the south side of Stane Street and off Old Arundel Road, to the north of Stane Street east of the Everyman Garage, and at Wealden Drive beyond the west site boundary.

### **3.0 The Proposal**

- 3.1 The development proposals by Rolls-Royce Motor Cars (R-RMC) are submitted as a hybrid planning application to be delivered in two distinct phases. The application is accompanied by a detailed Environmental Statement (ES). The first phase seeks full planning permission and would deliver the majority of the proposed extension to the manufacturing facility including much of the site-wide infrastructure, extensive landscape bunds, tree planting, diverted public right of way and new vehicular access off Stane Street. Phase 2 seeks agreement via outline planning permission with all matters reserved save for 'access', for the principle of a second stage of development of the site. This includes an extension to the new Phase 1 main building to deliver a decked car park and a further new building on part of the existing Stane Street car park for assembly, analysis and distribution. The key components of both phases are set out below:

#### **PHASE 1 - detailed proposals**

- Main building of 41,650 sqm gross external area (GEA) (40,941 sqm GIA) over ground and first floors comprising: Logistics, Interior Trim Centre, Exterior Surface Centre, Analysis, Assembly and Distribution. Flat, bioSolar roof planted with meadow-style planting, photovoltaic panels and skylights. Upper facade of building on north and east elevations comprise vertically aligned timber louvres. Timber cladding on upper part of south elevation to

match that on the existing building. Maximum building height 38.62 m AOD (includes top edge of photovoltaics) (13.47 m from FFL to roof level). Approximate overall ground plan dimensions: 283m (E), 61m (N), 132m (S), 275m (W)

- Proposed hours of operation: 06:00 – 00:00 Monday to Saturday for use classes B2, B8 and E(g). Exterior Surface Centre: continuous operation from 06:00 – 00:00 Monday to Saturday. (These hours are the same as permitted for the existing facility under WH/06/02851/FUL)
- Revised work shift patterns with end of morning shift and start of afternoon shift being at 14:30
- New glazed pedestrian bridge connecting new main building with existing building at first floor level.
- Removal of large chimney structure from the Exterior Surface Centre in the existing manufacturing facility.
- Removal of existing administration and post room portacabins and two existing temporary buildings.
- Repurpose, refurbish and reorganise 21,300 sqm of the existing buildings.
- Additional ancillary buildings/facilities 745 sqm (GEA): new waste facilities to the north, an auxiliary building hosting mechanical and electrical plant, a fire station and electrical plant rooms for the local energy network SSEN, a new gatehouse, an infill building for the Assembly Hall.
- A new vehicular site entrance from Stane Street on the eastern side of the site leading to a redesigned internal access strategy.
- A new surface level car park providing a total of 550 additional spaces for staff plus lorry parking bays for 10 HGV's. (Car parking capacity increases from 1,282 to 1,832)
- 153 additional cycle spaces and 61 motorcycle spaces
- Extensive new landscaping on the site aligning with the existing facility incorporating substantial contoured earth bunds to the north, east and south. Bunds no steeper than 1 in 3 on the outward facing slope. Top of bund to south boundary would be approx. 55m north of Stane Street and would be 4.7m higher than the existing road level. Bund to east approx. 7.5m higher than the proposed FFL of the site. Bunds to be planted with native and evergreen trees, hedging and scrub to blend the site into the surrounding landscape. SuDS ponds/swales to south and east as part of surface water drainage strategy.
- Permanent diversion of public footpath FP417. New alignment temporary diverted onto bridleway 3583 while earthworks take place.

## PHASE 2 - outline proposals/key development parameters

(The application is accompanied by a 'Development Parameters Plan' which sets out the maximum ground plan dimensions and heights of the phase 2 components. This would need to be adhered to as part of a subsequent reserved matters application. A condition in that regard is attached to the Recommendation).

- New 48,000 sqm (GIA) multi-storey car park over 4 floors to the south of the Phase 1 main building providing an indicative maximum parking capacity of 1,700 spaces and replacing Phase 1 surface level car park. Multi-storey car park to be at same height as Phase 1 main building, 38.62 m AOD.
- New 7,500 sqm (GIA) building over 2 floors constructed over part of existing Stane Street car park for Analysis, Assembly and Distribution. At 35.80 m AOD this will be lower than the Phase 1 building. South-West corner of building to be curved to match the curve on the south-east corner of the multi-storey car park and the curved corner on the north-east of the Phase 1 building.
- A further 61 cycle spaces and 24 motorcycles spaces

3.2 In terms of the delivery of the development, R-RMC envisage that subject to obtaining planning permission this year, the detailed Phase 1 components would commence in 2024 and would be first operational in 2027. Elements of internal reconfiguration and reorganisation included as part of Phase 1 are anticipated to carry through to 2029. In terms of Phase 2, the operational business requirements of R-RMC in that regard are not yet fixed but the ES has assessed a delay of 7-10 years in the Phase 2 submission and implementation of Reserved Matters from the date of Phase 1 implementation (2024) which results in a gap between construction of Phase 1 and Phase 2 of 2-5 years. However, the ES also considers alternative scenarios where Phase 2 is delayed, for example, to give R-RMC the flexibility to assess and respond to market conditions for its Bespoke and Coachbuild operations. The ES also considers the scenario where Phase 2 is not taken forward. The recommendation to permit the outline component of the application is proposing 6 years in which to submit details of the reserved matters and a further 2 years in which to implement the development.

## 4.0 History

00/03103/FUL	PER106	Construction of manufacturing plant and head office (to include uses within classes B1, B2 and B8), together with construction of new accesses, landscape and other associated works.
02/03376/FUL	PER	Erection of various marquees to support sales and marketing events and temporary vehicle storage over a 3 year period from date of application.
03/02106/FUL	PER	Construction and erection of a dedicated sheltered motorcycle/scooter parking area

adjacent to existing car park.

05/04779/FUL	PER	Erection of marquees for various sales and marketing events, and for temporary vehicle storage.
06/02851/FUL	PER106	Variation of planning conditions 5, 9 and 37 of planning consent ref: WH/00/03103/FUL including extension of approved area of development to implement reconfiguration and extension of parking facilities.
06/05848/FUL	PER	Temporary office accommodation at two locations. 2 Storey 4 'unit' block located in paint shop car park. 6 Single units located over the swale between assembly building B50 and Services Building B90.
07/03072/FUL	PER	Mezzanine floor and fire escape door to ground floor.
07/03166/FUL	PER	Mezzanine floor. 2 no. external escape staircases.
07/06102/FUL	PER	Erect two cyclone filter units within the perimeter of the grounds. Filters will be situated between building 90 and building 50.
09/01911/FUL	PER	1 no. temporary storage tent for the storage of motor cars prior to model launch.
09/02870/FUL	PER	Temporary storage tent for cars due to the launch of a new model.
11/01151/FUL	PER	Temporary storage tent for vehicles due to the launch of new models (permission required until end of 2020). Amendment of condition 1 of planning permission WH/09/02870/FUL.
11/03884/FUL	PER	Extension to existing paint shop.
11/03905/FUL	PER	Variation of condition 1 of planning permission WH/09/01911/FUL. 1 no. temporary storage tent for the storage of motor cars prior to model launch.
12/00054/FUL	PER	Erection of two temporary buildings.
12/00705/FUL	PER	Erection of internal mezzanine floors within



		Buildings 51 and 90 and erection of canopy to Building 51.
13/01842/FUL	PER	Installation of new external staircase with modification to existing sun screen and glazed elevation. Additional external ventilation cowl above roof level.
13/03342/FUL	PER	Erection of a temporary storage building/tent for the support of production operations to contain finished and semi finished vehicles. This facility is to be removed before 28th Feb 2014.
13/03344/FUL	PER	Erection of temporary storage building/tent to store finished and semi finished vehicles to support production requirements. The approval is requested until 31st December 2020.
14/01437/CMA	NOBJ	WSCC Ref: WSCC/025/14/WH Location: Rolls Royce Motor Cars Ltd, The Drive, Westhampnett, Chichester, West Sussex PO18 0SH Proposal: Relocation of waste management facility.
14/02164/FUL	PER	Provision of two parking bays with associated charging equipment to recharge electric vehicles.
15/00787/FUL	PER	Variation of Condition 2 of planning permission WH/11/03884/FUL - by submission of a set revised drawings for Phase 2 reflecting the increase in height of the first floor extension, matching that of the adjacent penthouse area on the main building.
15/01862/FUL	PER	Erection of one temporary building 10m x 12m.
16/01072/FUL	PER	Installation of 1 no. extract vent (louvre) and 2 no. exhaust stacks.
16/02085/FUL	PER	Installation of cycle and motor cycle shelters, creation of 53 parking spaces. Enabling works for e-cycles and improved efficiency of car park flow by redirecting traffic flow.
17/01700/FUL	PER	Erection of temporary storage building/tent to store finished and semi-finished vehicles and to undertake rework activities on the vehicles to support production requirements. The approval

is requested until 31st December 2020.  
Alternative proposal to 13/03344/FUL.

17/02798/FUL	PER	Install new internal mezzanine floor infill and staircase, with roller shutter door infill to front elevation.
17/02897/FUL	PER	Retrospective relocation of 5 no. storage units and associated works including the installation of shower facilities.
18/01108/FUL	PER	Retrospective application for the erection of 3 no. external flues.
19/01378/FUL	PER	Ground floor extension to house electrical switch gear.
19/01406/FUL	PER	Infill extension to provide additional floorspace and associated works.
20/00445/FUL	PER	Installation of plant and associated works.
20/02120/FUL	PER	Extension to use and structure of temporary storage building/tent for finessing (finishing activities) (approved under 17/01700/FUL). The approval is requested until 31st December 2025.
20/03276/FUL	PER	Retention of 1 no. structure for storage of motorcars, retaining use originally approved under 09/01911/FUL.
21/00931/ADV	PER	Installation of 1 no. reception sign (illuminated), 1 no. school sign (non-illuminated) and 1 no. limestone inlay (non-illuminated).
21/01351/FUL	PER	3 no. single storey extensions on building 40 (Surface Finish Centre).
21/01458/FUL	PER	Erection of a first floor mezzanine, removal of existing plant, minor facade alterations and associated works.
21/03566/FUL	PER	Erection of 1 no. new external building to provide additional storage and associated works, including external alterations.
22/00090/FUL	PER	Erection of a temporary events structure for the period of two years and associated works.
22/00777/FUL	PER	Extension to first floor mezzanine, minor facade alterations and associated works.

22/01663/FUL	PER	External alterations to service area comprising the installation of 1 no. new roller shutter door at Building 50.
22/01693/FUL	PER	Erection of a new external switchgear room and associated works, including external alterations.
22/01995/FUL	PER	Replacement of 2 no. existing car parking spaces (with electric vehicle charging) with 6 no. electric vehicle charging points and visitor car parking spaces, the erection of a canopy and associated works including landscaping.
22/02249/DOC	PER	Discharge of Condition 10 (noise levels and hours of use) of planning permission WH/22/00090/FUL.

## 5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	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 Westhampnett Parish Council

The Parish Council has engaged further support from Pro Vision and Motion to assist with its review of the amended/additional information submitted end of 2023.

The 'Conclusion' section from the Pro Vision report and the 'Summary' section from the Motion report are both reproduced verbatim below. The full reports can be read on the Council's website.

#### Review of application by Pro vision (planning)

'4.1 The matters raised within this report can be summarised as:

- The proposal represents a departure from the Development Plan.
- The proposal represents a substantial increase in the scale and intensity of the business, in a countryside location outside of any settlement boundary, and in relation to the scale of the Parish. This potential scale of growth is a concern locally, especially in regard to traffic impacts.
- Transport impact as set out in the Motion Technical Note 31.01.24.
- The Noise Assessment is based on superseded predicted trip rates, further information is required before a full assessment can be made on the noise impact.

- The PRow diversion will result in the loss of a historic PRow, increase in the route length, and will reduce the rural views/character currently experienced by users of the PRow.
- The Lighting Strategy does not provide sufficient information to fully assess the impact of lighting, further information should be provided pre-decision.
- Further information is required to fully assess the impact on biodiversity.
- An updated Arboricultural Impact Assessment is required.
- Loss of high quality Oak trees will have a negative impact on the character of this part of Stane Street.
- Further information is required before detailed consideration of the flood risk and drainage impact can be made.
- Further assessment is required on Nutrient Neutrality.
- Issues raised by Goodwood Aerodrome Safeguarding should be fully addressed; some of these issues require resolution pre-determination.
- The construction period of 9 years is an exceptional period of development activity for a rural community, including additional traffic on the local highway network and general disruption to local amenity.

4.2 The proposal represents a departure from the Development Plan. It is therefore necessary to make a judgement on whether any material considerations outweigh the policy conflict and any other identified harm. It is considered that there are no material considerations that outweigh the policy conflict and harm/insufficient information as set out in paragraph 4.1.'

#### Review of application by Motion (transport)

'6.1 In view of the above, further information is required to enable the determination of the development impacts on the local highway network. The main issues flagged in this Note are as follows:

- Suitability of the proposed Phase 1 parking accommodating demands on site;
- Sustainability of the proposed 1,700 car parking spaces, increasing the availability of parking for shift staff;
- Impact of RRMC policies such as remote working for non manufacturing staff on car parking demand;
- Impact to onsite parking provision during construction phase;
- Car Park Management Plan Condition to ensure car park operation can be controlled and necessary steps taken in the event of future congestion around the site shift change over periods and to prevent overspill parking in the surrounding area;
- Issues remain with the trip generation assessment in terms of overall net impact of the development and the timing of trips on the network with the updated shift patterns;
- Consideration should be provided to servicing the site in a clockwise manner, i.e. with servicing vehicles arriving from the south and departing north along Roman Road. This would reduce the potential delay and queuing associated with HGV movements turning into the site alongside reducing the collision risk whilst manoeuvring;
- The proposed modal split of travel provides limited benefit for day staff to access the site by sustainable modes;
- It is unclear whether the proposed access visibility splays are provided in accordance with DMRB guidance;

- The assessment of Roman Road carriageway width is not considered suitable to identify whether widening is required to accommodate HGVs accessing the site. In the absence of this information, it is likely that some package of widening works is required based on the OS mapping data; and
- The Parish would welcome the creation of a forum to allow them to be notified in advance of construction works and any pertinent details associated with this. This forum could continue following construction to allow two-way conversations between local residents and RRMC to minimise disruption to local residents.'

## 6.2 Environment Agency

No objection to the proposed development subject to the imposition of a condition relating to the remediation of potential land contamination.

## 6.3 Southern Water

The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers. No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers, rising mains or water mains. Southern Water has undertaken a desktop study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water. Southern Water will liaise with the developer in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement. It may be possible for part of the development to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development programme and the extent of network reinforcement required. Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of any works required.

Southern Water endeavour to provide reinforcement within 24 months of planning consent being granted (Full or Outline).

## 6.4 Natural England

~~Consultation response on Council's Appropriate Assessment in relation to SAC bats is awaited. The Committee will be updated.~~

**No Objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.**

## 6.5 National Highways

Comments received 16.02.2024

Our review of the Transport Assessment Addendum (Arup, December 2023) was submitted on 22 January 2024 and highlighted that there was a need for mitigation to be provided at junctions along the A27.

The applicant has subsequently revised the proposed afternoon shift change time, moving this from 15:00 to 14:30, hence development flows occur when SRN background flows are lower. In addition, mode share that was previously assumed at Phase 2 has now been brought forward to Phase 1 by providing appropriate measures.

The updated impact assessment that we have considered is based only on Phase 1 (comprising 3,000 staff, an increase of 500 staff from the current level of 2,500 staff) and has the revised mode share reflected. The provided traffic information demonstrates that the traffic impact on the A27 is within acceptable limits.

Through constructive, on-going engagement with the applicant the outstanding matters have now been fully resolved. We are now in a position to replace our holding recommendation with a conditional response. We are content that the proposals, if permitted, would not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the Strategic Road Network in the vicinity of the site (A27) provided that the following conditions are imposed, reflecting DfT Circular 01/22 and DLUHC NPPF December 2023 (Para 114-117 tests). Those conditions are set out in the recommendation below and require the following:

- Phase 1 Travel Plan
- Phase 1 Operational Management Plan
- Phase 1 Construction Traffic Management Plan
- Phase 2 Transport Assessment
- Phase 2 Travel Plan Update
- Phase 2 Operational Management Plan
- Phase 2 Construction Management Plan

#### Comments received 22.01.2024

There is a need to consider in the Transport Assessment Addendum (TAA) whether the proposed development would exacerbate existing safety issues or be likely to give rise to any additional safety concerns.

Whyke roundabout - the development peak hour assessments show significant impact associated with the development for example with queues at 2027 on A27(E) increasing from 233 to 385 passenger cars with the additional traffic. It is concluded that there is a need for mitigation at this location.

Bognor Road roundabout - the development peak hour assessments show significant impact associated with the development, for example at 2027 the queue on A27 (north) is seen to increase from 143 to 388 following the addition of the development traffic. It is concluded that there is a need for mitigation at this location.

Portfield roundabout – the mitigation scheme has been reviewed and it is concluded that the provided mitigation is acceptable in capacity terms.

Boxgrove roundabout - the development peak hour assessments show impact associated with the development, for example at 2027 the ratio of flow to capacity on The Street is seen to increase from 1.79 to 2.12 passenger cars following the addition of the development traffic which could increase driver safety/frustration related events. It is concluded that there is a need for mitigation at this location.

We are mindful of the complexities along this area of the A27, with development schemes coming forward and potential mitigation proposals/strategies for the SRN. Therefore, we recommend that there is further discussion within National Highways.

#### Comments received 18.12.2023

Recommend that planning permission is not granted for a period of 3 months from the date of this response to allow the applicant sufficient time to address the outstanding comments raised in our 25 September 2023 response.

Comments received 25.09.2023

We require further information from the applicant in order that an informed decision can be made in relation to the potential impacts of the development on the strategic road network. Specific action points are identified:

- Policy Context - There is a need for reference to and adherence to Department for Transport (DfT) Circular 01/2022. This requirement was highlighted in our previous response. We expect development promoters to enable a reduction in the need to travel by private car and prioritise sustainable transport opportunities, ahead of capacity enhancements and new connections on the SRN.

- Existing Travel Demand - It appears that the multi-modal survey was undertaken on Thursday 26 January 2023, between 05:00 and 24:00, however this should be explicitly stated within the TA. We require to understand how this aligns with the existing mode split in Table 5 which shows 72% as car driver or taxi user and 12% as passenger in car. We have queries related to trip generation which require to be addressed before we confirm if we are satisfied with the locations.

- Collision analysis - At such time development impacts and associated traffic modelling is agreed, it will be necessary to consider whether the proposed development would exacerbate existing safety issues or be likely to give rise to any additional safety concerns.

- Trip Generation - We note this and await further details of the 'vision statement'. We also observe that this % reduction is low; aligned with the spirit of Circular 01/2022 and supporting vision/measures, we would welcome a more ambitious shift to sustainable modes. The key impact is during the period 15:00 to 16:00 when there is a net impact of 294 additional two-way person trips. However, the numbers in the table are required to be clarified, as the 'total two-way trips' in a number of the rows do not add up to the sum of the presented arrival and departure data. For example, at 15:00 to 16:00, the data says there were 13 arrivals and 195 departures and a total of 644 two-way vehicle trips. There is a need to provide details of the HGV trips (new trips and rerouted trips) which occur within each of the assessment hours. Confirmation is also needed that these trips are included within the assessment, however we do not see details of the trip numbers at each junction during each assessment hour.

- Trip Distribution/Assignment - There is a need to provide a table which demonstrates the route which each origin/destination has been assigned to, which is then summarised in Table 30 of the TA. Clarify trip generation statement in TA as the trip generation table shows a total impact of 332 vehicles with phases 1 and 2, with 76% travelling to/from the west.

- Committed Development and Background Traffic Growth - There is a need to provide correspondence from both CDC and Arun District Council (ADC) which confirms the committed development assumptions are appropriate. There is a need to provide correspondence from CDC which confirms the committed infrastructure assumptions are appropriate. There is a need to provide evidence from the two LPA's noted above that all appropriate Local Plan and committed development sites have been included.

Junction Assessment - We require details to be provided of the calibration and validation process which has been undertaken. Tables should be provided for each SRN junction

and each assessment time period which show the model queue prior to calibration compared against the observed queue.

- Travel Plan - The proposed measures are noted to be focused on 'marketing' and 'promotion', with no physical measures. The proposed measures are not deemed to be sufficient, additional measures should be developed, associated with physical infrastructure/services. For a development of this scale we would consider that the 5% reduction in single occupancy car journeys is not ambitious enough. The forecast reduction should be reviewed in the context of DfT Circular 01/2022, the vision for the development and with additional measures proposed to achieve the aims of the vision. There is a need for firm financial commitments to support the objectives of the TP. This needs to be provided within the TP document.

## 6.6 Historic England

We suggest that you seek the views of your specialist conservation and archaeological advisors.

## 6.7 Active Travel England

### Comments received 31.01.2024

The response provided by the Applicant has been considered, and I can confirm ATE is content with the response provided for each area of concern identified in the consultation response dated 22 September 2023. As such, ATE withdraws its objection to the application. It is particularly pleasing to see that the Applicant is willing to discuss a contribution towards Route N in the LCWIP, and it is recommended that the Council determines what is considered proportionate and progress discussions on this matter with the Applicant.

### Comments received 11.01.2024

Recommend deferral. ATE not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue.

Following the review of the updated documents, ATE remains unable to support this application given the concerns regarding the crossing at the Stane Street bus stop (westbound), the non-signalised crossing and the lack of shared use footway/cycleway safety along the frontage of site, as noted below.

In addition, the opportunity to deliver the walking and cycling Route N, as established in the Chichester County Council Local Cycling and Walking Infrastructure Plan (LCWIP, 2020), is considered to be of significant benefit to this development and the neighbouring area. Therefore, a financial contribution towards delivering this is considered to be essential and in line with current policy to prioritise and promote active and sustainable forms of travel. It is considered that all other concerns raised in the response dated 22 September 2023 have been addressed.

### Comments received 22.09.2023

Approximately 2,500 people are employed at RRMCC. The existing site accesses via Stane Street and The Drive are proposed to be retained. In addition, a new vehicular access is proposed from Roman Road, south of the extension land. ATE notes that the design of the proposed major/minor priority controlled site access has been discussed with WSCC and is considered to be in-keeping with the character of the road. An uncontrolled dropped kerb crossing with refuge is proposed for pedestrian and cycle access into the site. ATE



does not consider this to comply with LTN 1/20. In addition, RRMC provides sheltered cycle parking for 160 bikes near the plant buildings and offers shower and locker facilities for employees. However, ATE would welcome further information details on these facilities and the location of the cycle parking.

## 6.8 WSCC – Highways

### **Comments received 18.03.2024**

1. **WSCC Highways have already provided detailed comments regarding the highways and transport implications of this proposal. No highway objections have been previously raised and WSCC Highways remain supportive of the proposals. For the purposes of this additional response, comments are made only in connection with the ‘Site Access Optioneering Study’ (hereafter referred to as the Study) dated March 2024. This Study has been submitted to address concerns raised by the Chichester District Council Planning Committee regarding the Applicants preferred routing option. WSCC acknowledge that the Study formed part of the Transport Assessment submitted with the current planning application. This has been updated to reflect the CDC Planning Committee discussion.**

2. **For the purposes of the Study, a combination of options have been considered by the Applicant regarding the use of the existing and proposed accesses, and the way in which these could be use by workers and servicing traffic. For the purposes of the access options, the Applicant has four key objectives,**

- **No increase in traffic through Maudlin,**
- **No increase in HGV traffic through Maudlin,**
- **Reduce HGV movements along Stane Street through Westhampnett,**
- **No queuing on Stane Street and Roman Road in association with the vehicular accesses.**

3. **The overall impact (positive/negative) for the access options have also been considered against more detailed parameters, including traffic flows, journey times, highway design, feasibility, and road safety. It is understood that other non-highway factors have been considered within the assessment also (such as ecology). Overall amenity impacts are integral to the key objectives.**

4. **Before reviewing the options, it should be recognised that the existing Stane Street access serving the site currently operates without any turning restrictions, and has been in operation for a notable length of time. There are no recorded safety issues surrounding the operation of this access. It is also understood that the site operates without any existing formalised servicing routing agreement.**

5. **With regards to the proposed access options, the Applicants preferred arrangement within the Study is F. This option would result in one way arrangement for servicing movements with vehicles arriving from the east via the proposed Roman Road access and departing to the west via the existing Stane Street access (this access would continue to be used by right turning HGVs as it is currently). These movements would make use of an internal access road to by-pass Stane Street/Roman Road. Movements from workers would be unrestricted although the expectation is that those arriving from the east would arrive and depart via the proposed Roman Road access, whilst those arriving from the west**

would arrive and depart via the existing Stane Street access. It's accepted that this option would introduce turning movements onto Roman Road. However no problems have been raised within the Stage One Road Safety Audit in these respects nor are there any identified issues within the design concerning visibility for turning vehicles. There is no evidence to suggest that turning movements would consequently introduce an unacceptable road safety issue.

6. Option F would reduce vehicle movements through Maudlin (given the Roman Road access and internal service road can be used), and that HGV movements through Westhampnett would be reduced (as only departing movements would use Stane Street). As recognised through the TA, a significant increase in car parking is intended to assist at shift change over times as well changes to make the early and evening shifts back to back rather than crossover as they do currently. These changes will alleviate existing congestion at shift change over times and so are viewed favourably in terms of site traffic management and would reduce the likelihood of queuing onto the highway at either access. This option (F) has been assessed and is considered to be the most favourable arrangement viewed against the objectives and detailed parameters.
7. An alternate option was identified by the CDC Planning Committee. This is expressed as option G within the Study. Option G largely reflects option F but would route inbound servicing movements from the west via the existing Stane Street access and outbound servicing movements to the east via the proposed Roman Road access; this would enable servicing movements to turn left in and left out. Access for workers would remain as per option F. The overall number and balance of movements would remain the same between F and G. Option G would though require servicing vehicles to turn left onto Roman Road and then turn right at the A285/Roman Road junction to reach the A27 trunk road. The A285/Roman Road junction is subject to a 60mph speed limit and whilst of relatively recent construction, the routing arrangement would still result in the significant increase of slow moving HGVs exiting onto the fast flowing A285 throughout the day. This is not an ideal situation especially in light of the alternate option F being available.
8. A further option discussed was to close the existing Stane Street access and route all traffic via the proposed Roman Road access (Option B). There are a number of fundamental issues with this option.
  - This would inevitably require significant changes to the proposed access with inherent further loss of vegetation along Roman Road to accommodate the increased vehicle flows.
  - It would be very difficult for the Applicant to control routes used by workers to access the site from the wider highway network and to ensure that all drivers arrive and depart to the east. Even with such a restriction in place, in principle it would be very difficult to prevent drivers of smaller vehicles arriving or departing to the west given the design of the access would have to be substantial to accommodate two way HGV movements. As such a prohibition on right turns is unlikely to be enforceable.
  - Further road widening improvements would be required to Roman Road between the proposed access and the A285 junction to enable unrestricted two way

movements. The concerns raised regarding HGVs turning right onto the A285 as per option G would also be raised.

- Vehicle movements would be very concentrated both through the Roman Road site access, the A285/Roman Road junction, and at the A27 Temple Bar grade separated junction as traffic. Overall, the proposed split access option is more favourable as this enables traffic to disperse rather than be concentrated through a single point.

9. In summary, WSCC Highways acknowledge the routing options presented. For the reasons stated above, option F is considered to be the most preferable when viewed against the Applicant's objectives. This option would result in the continued use of the existing Stane Street access albeit movements through this would be reduced thanks to the ability of traffic to use the proposed Roman Road access. The introduction of the new Roman Road access would enable a one way routing arrangement for servicing movements and assist in providing an alternative access for traffic travelling to the east. The proposed Roman Road access has been designed in accordance with current standards and reviewed by way of a Stage One Road Safety Audit.

10. Overall, accounting for the formalisation of routing for servicing, the additional car parking, and changes to shift changeover times, the proposals are considered to offer a betterment in terms of traffic management. No unacceptable safety or otherwise severe highway impacts have been identified as a consequence of the works or routing proposed.

Comments received 11.01.2024

No Objection.

Reference is made within the Transport Assessment Addendum (TAA) to access being formed onto 'Roman Road'. It's acknowledged that 'Roman Road' is not the formal road name. The road in question is 'Stane Street', which runs from the Resort Hotel Roundabout through to the A285 junction. For the purposes of this response, references continue to be made to 'Roman Road' to remain consistent with the TAA. Any conditions and planning obligations refer to the road by the correct name.

Access - A number of issues were raised by WSCC and the Stage One Road Safety Audit concerning the proposed vehicular access onto Roman Road. These issues primarily related to the acceptability of the visibility splays at the proposed access onto Roman Road. The main issue was the drawing of the visibility splay to the east of the access to the centreline of the road. The Applicant has amended the access design. The visibility splays are now drawn to the nearside kerb edge in both directions. Whilst this unfortunately results in the requirement to remove one Oak tree as well as some other roadside planting to the west, a standard compliant design is now demonstrated. The Applicant is proposing to fund the potential reduction of the existing 60mph speed limit in the vicinity of the access to 40mph. The potential reduction is shown indicatively on the submitted access drawing. The principle of the speed limit reduction has been agreed with WSCC Highways as complying with the current WSCC Speed Limit Policy. The amending of the speed limit will still be the subject of a statutory consultation process that is separate to the current planning application. A s106 obligation would be required requiring the

Applicant to fund the necessary process and thereafter implement a scheme of works to cover the required signing and lining changes. Notwithstanding the additional process surrounding the speed limit change, the proposed access design is in all respects considered acceptable.

Active Travel - WSCC Highways has previously commented on and raised no issues with matters of access to the site by walking, cycling, or bus. WSCC acknowledged that access by these means may not be feasible for many employees given the start and finish times of shifts, and also individual employee home locations making the use of these modes of transport unfeasible. Nevertheless, the Applicant has identified some improvements to existing bus stop infrastructure which can be secured through the s106 agreement. The TAA also indicates increased cycle parking provision within the site. Details of this, which may be phased in terms of provision, should be secured by condition. In addition to the bus infrastructure improvements, a travel plan will also be implemented. The site has an existing operational travel plan in place which is being updated to suit the current proposals. The travel plan and auditing fee should be secured as an obligation within the s106 agreement.

Car Parking - The general principle of the additional parking has been accepted by WSCC Highways. As requested, additional information has been provided by the Applicant showing parking provision as a ratio to staff. From this, it's apparent that the ratio through phase 1 and 2 broadly remains as per the existing arrangement. Whilst there will be a significant increase in parking, it's apparent that these spaces are required for operational reasons. The way in which the car parking will be allocated and used is set out in the Operational Management Plan - The OMP will need to be secured as a suitably worded planning condition. For the purposes of Phase 2 (for which outline approval is being sought), the Applicant's intention is to consolidate car parking and provide a decked car park. The decked car park is indicated to provide up to 1,700 spaces. For the purposes of the Phase 2 application, a further car parking assessment will be required to demonstrate the adequacies of parking as actually intended.

Servicing Arrangements - Comments were previously made by WSCC concerning the ability of the local highway network to support the proposed HGV servicing arrangements. The proposed arrangements would result in all inbound HGV movements arriving from the east via the proposed Roman Road access. All outbound movements would then depart to the west via the existing Stane Street access. The concern raised by WSCC related to the adequacies of the width of Roman Road between the proposed access and the A285 junction to enable two opposing large vehicles to pass. Additional information is provided that appears to demonstrate that Roman Road is wide enough to enable two large vehicles to pass. As such, the proposed servicing arrangement is workable. There will still be a need to undertake widening on the bend outside 'Temple House' as demonstrated within the originally submitted TA. The intended routing for servicing vehicles (as well as the intended use of the car parks) is formalised within an 'Operational Management Plan'. The OMP includes other commitments to communicate the routing arrangements. There is also mention of a signage strategy. The provision of signage is not considered necessary to make this application acceptable given the strategy can be communicated in other ways. It's recommended that the Applicant takes forward the signage strategy separately as the acceptability would need to be reviewed against any local and national guidance. It's recommended that the OMP is secured as a planning condition.

Other Matters - A Full Construction Management Plan (CMP) will be required following the

appointment of a principal contractor. It's recommended that matters relating to construction are therefore dealt with as part of a future CMP that is secured via condition.

Conclusion - In reviewing the additional information presented, it's considered that the matters previously identified by WSCC Highways have been addressed. Subject to the recommended conditions and planning obligations being implemented, WSCC Highways do not consider that this proposal would result in any unacceptable safety or otherwise severe highway impacts.

Comments received 21.09.2023

More information required.

Access - A Stage One Road Safety Audit has been provided. The scheme designer will need to provide and agree solutions to the various problems identified by WSCC Highways (i.e., due to applicant's desire to retain as much mature planting on Stane Street as possible required visibility splays may not be achievable without extension of existing 30mph limit east of new access but this is subject to a separate statutory consultation outside of from the planning application). It's recommended that the applicant continues discussions with WSCC to resolve the problems within the RSA. The outcome of these discussions can then be reported as part of this planning application.

Trip Generation and Highway Impact - Trip generation is based on 3,000 members of staff (phase 1) increasing to 3,500 in phase 2. The existing site employs 2,500 staff. Proposed shift patterns of 06:00-15:00, 15:00-00:00, and 23:00-06:00 have been used. Future years of 2027, 2032, and 2039 have been modelled, which reflect the opening years of phase 1 and phase 2 respectively. Trip distribution is based on the anticipation that future employees will be drawn from the local area in the same proportions as existing employees. For the purposes of the assessment, the above are taken as agreed. Overall, whilst acknowledged that this proposal will generate additional vehicle movements, the peak increases are away from current network peak times. The proposals will also reduce the number of HGVs visiting the existing site thanks to the relocation of certain logistical elements from the Bognor Regis site.

Active Travel (including bus) - The site can be reached on foot or cycle with there being existing walking and cycling routes in place along Stane Street and Old Arundel Road that lead both to Chichester to the west and to Tangmere to the east. The Stagecoach 55 bus service (operating between Chichester city and Tangmere) as well as specific Rolls Royce shuttle to Bognor Regis provide regular passenger transport opportunities to the site. In reviewing access to the site by non-car modes, it's accepted that there is existing infrastructure (including bus services) in place to meet potential future demands (that are expected to proportionately increase based on existing employees home locations) arising from the expanded site. Increases in cycle parking are also intended as part of the expansion proposals. It is fully acknowledged that the home location of employees may be such that travel by certain sustainable modes is not a practical option for various reasons. Likewise, the shift start times may also present difficulties and limit opportunities although it is still apparent that the shuttle bus service has reasonable levels of use at all shift start/end times. The targets within the Travel Plan reflect the limited ability of the applicant to influence how employees may choose to travel to the site. The targets consequently include modest increases to existing walking, cycling, and bus mode share with greater reductions aimed at private car use. These targets are somewhat lower than WSCC would ordinarily recommend. The TP is very much a 'live' document that will be

reviewed and updated as time goes on to reflect actual staff travel locations. In these respects, a travel plan has been in place and actively reviewed for the existing site for a number of years.

Car Parking - The proposals include a significant increase in the total number of car parking spaces; increased from 1,282 at present, to 1,832 in phase 1, and then up to 2,362 in phase 2. The increase in parking spaces is a consequence of the proposed change to back-to-back shifts as well as the increase in staff allowing the later shift to arrive and park without first having to wait for the preceding shift to vacate the car park. This will result in those parking spaces associated with the 1st or 2nd shift being left empty for a large element of the day. Whilst the number of staff on the earlier and late shifts will increase (albeit the TA doesn't appear to quote staff numbers), it's not immediately clear if the number of parking spaces per member of staff on the shifts will increase. WSCC wouldn't wish to see the ratio of parking to staff increase significantly given the consequences this may then have for the travel plan. The phase 2 proposals include a decked car park of up to 1,700 spaces over the proposed new Stane Street car park included in phase 1. This will consolidate both shift workers car parks as well as including an additional number of spaces to reflect the increase of employees. The overall approach to car parking is noted and provides the flexibility as required by the applicant to operate the proposed shift patterns. Whilst on paper a significant number of parking spaces are proposed and notwithstanding the retention of measures to limit parking permits to those outside of the wider area, confirmation would still be sought in terms of the ratio of parking spaces to staff for the existing and proposed arrangements.

Other Matters - One notable element of the proposals is the one-way routing arrangement for HGVs delivering to and servicing the site (i.e. that vehicles arrive from the east via the new entrance on Stane Street and depart to the west via the existing access on Stane Street). Taking account of the conclusions in the TA regarding two-way HGV movements being unfeasible on Stane Street, there is then no further assessment of the suitability of Stane Street to accommodate the increase in movements associated with the development alongside those non-development vehicles. This would need to be suitably assessed. Related to the above, some minor works are proposed at the far eastern end of Roman Road, adjacent to 'Temple House'. These works involve carriageway widening to allow for two-way HGV movements. The works are entirely within the public highway and are shown on the drawing titled 'A285 Stane Street/Roman Road Proposed Mitigation General Arrangement' within appendix S of the TA. It's recommended that the road widening works are secured by condition. It is also recommended that if the one-way option is accepted, that it is formalised by way of a routing plan within a legal agreement or planning condition. The applicant should confirm the intentions to ensure the routing is reasonably adhered to by HGVs arriving and departing the site. It is noted from the draft Construction Management Plan that construction traffic is to follow the one-way routing as indicated for servicing and delivery vehicles for the operating site. As indicated above, an assessment would be needed to demonstrate the appropriateness of Stane Street from new access up to A285 Temple Bar junction to accommodate these movements. The suggested one-way routing for construction traffic would require the widening works on Stane Street to be provided at a very early stage, particularly as significant numbers of HGVs are expected through the very early phases of construction. The exact timing of these works should be confirmed by the applicant.

Conclusion - there are a number of elements of the proposal that would require further supporting information.

## 6.9 WSSC - Rights of Way

No Objection subject to conditions.

Development affecting the currently recorded legal line of the Public (Footpath 417) must not begin until and unless the path has been formally accommodated else an offence is being committed and may invalidate any diversion Order procedure.

Where it will be necessary to permanently divert or extinguish a path 'to enable development to take place' by means of a Public Path Order (PPO) (most often under Town & Country Planning Act 1990 s257), to be applied for by the developer through the Local Planning Authority prior to development, WSSC PROW Team is not able to grant a temporary path closure as a precursor to a PPO. In such circumstance, WSSC PROW Team will only consider an application for a temporary path closure once the Local Planning Authority has made and confirmed a PPO.

The existence of a Public Right of Way (PROW) is a material consideration. Should planning consent be granted, the impact of development upon the public use, enjoyment and amenity of the PROW must be considered by the planning authority. Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route - advice on the legal width can be provided by the WSSC PROW Team. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSSC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

## 6.10 WSSC - Flood Risk Management

### Comments received 01.02.2024

Following a review of the FRA, Flood Risk Addendum and Drainage Strategy details are in accordance with the NPPF and Local Plan policy 42. No objection therefore subject to conditions being attached to any consent. Conditions require: 1) construction drawings of the surface water (sw) drainage network and associated sustainable drainage components; 2) details of the maintenance/management of the SuDS drainage scheme for both phases; 3) for both phases survey and verification report prior to first use of the development demonstrating that the sw drainage system has been constructed in accordance with approved details; 4) for phase 2 prior to, or with each reserved matters application, details of a scheme for the disposal of sw by means of a SuDS system. Without imposition of conditions development would be contrary to NPPF and policy 42 and there would be an objection.

### Comments received 18.01.2024

We maintain our objection to this planning application in the absence of an acceptable Drainage Strategy and additional supporting information relating to:

- The application is not in accordance with the NPPF or Policy 42 in Chichester Local Plan
- Use of superseded parameters

### Comments received 26.09.2023

We object to this planning application in the absence of an acceptable Drainage Strategy relating to:

- The application is not in accordance with the NPPF paragraph 167 and 169, PPG

Flood risk and coastal change and Policy 42 in Chichester Local Plan

- Use of superseded parameters
- Queries about location of SuDS features in relation to existing surface water flood risk

#### 6.11 WSCC - Fire and Rescue

##### Comments received 08.11.2023

Further to the additional information provided [sprinkler and hydrant system overview and Fire service access route] for - the supply of water for firefighting and Fire Service access, I am satisfied that suitable provisions have been put in place and providing the information shown on the plans is in place and ready for use prior to any occupation, the B5 requirements will be met and no further concerns regarding Fire Service access and the supply of water for firefighting.

##### Comments received 23.10.2023

Information is required for the supply of water for firefighting, currently the nearest fire hydrant to this site is 300m away, 210m further than the required 90m for a commercial premises. A new build development with a compartment size greater than 280m<sup>2</sup> and more than 90m from the nearest fire hydrant will require additional fire hydrants, within 90m from any entrance to the building and no more than 90m apart, in accordance with Approved Document B (ADB) Volume 2 B5 section 15. Also, evidence is required to show suitable access to the new buildings, anything with a floorspace of over 24,000m<sup>2</sup> will require access to 100% of the perimeter, in accordance with ADB Volume 2 B5 section 15. Also evidence to show there is suitable turning facility for a fire appliance to turn and make their exit, a fire appliance should not need to reverse more than 20m to either make their exit or reach a turning point.

#### 6.12 WSCC - Minerals and Waste Planning

The application site is located within a Mineral Safeguarding Area for Sharp Sand and Gravel (SS&G), as identified within the Joint Minerals Local Plan (2018). Accordingly, Policy M9 would apply in this case. Following laboratory analysis of the ground investigations, the Mineral Resource Assessment (MRA) concludes that, while there may be some areas within the southern and western parts of the site that host the safeguarded resource; the volume and quality of this SS&G, when combined with the site as a whole, would not yield any significant amounts of the safeguarded resource that would justify it to be of any economic importance. Therefore, on the basis of the information provided, the MWPA is willing to accept that there is limited/no commercially recoverable resource remaining at the site. That said, should the LPA issue a positive decision in favour of the application, the MWPA would suggest an informative outlining that any viable resource encountered should be used for its safeguard purpose (e.g. as a construction material) and recorded appropriately. In conclusion, the MWPA is satisfied that the applicant has sufficiently demonstrated that the proposed development would not result in the sterilisation of any significant amount of the safeguarded resources.

Therefore, as per policy M9 of the Joint Minerals Local Plan (2018), the MWPA would offer No Objection to the proposed development, subject to the LPA being satisfied that the overriding need for the non-mineral development outweighs the safeguarding of the resource.

#### 6.13 CDC - Conservation and Design



Detailed design - The main issues considered in design terms are landscape visual impacts, both in short and longer views. Impacts on nearby heritage assets are also considered. The proposed extension is taller than the main built form of the existing facility and has moved away from the current barrel-vaulted form. Both of these aspects of the design are a result of modern manufacturing requirement. Whilst taller than the existing building the proposed structures sit well below the height of the existing large chimney being 1.63m shorter. Curvature like the existing building or undulations to the roof form or edges have not been possible to achieve without impacting on the functionality of the interior spaces of the building. Instead, a waved effect is proposed within the cladding achieved through varying the orientation of lengths of cladding. This should break up the visual regularity that would otherwise develop within the landscape facing facades. Whilst the approach does not go as far as softening the roof form it is considered the wave affect will assist the building in blending into the landscape as a largely hidden backdrop to the main visual mitigation measures of the landscaped bunds.

Whilst the proposed landscaping will do much to reduce the overall visibility of the main elevations of the new extension, the proposed building materials are considered to be an important element in the overall success of the proposals. Excluding the aforementioned issues with the success of the existing green roof, it is considered that the existing materials palette is successful. It has weathered well maintaining a high-quality appearance and also allowed what is a very substantial building to blend exceptionally well into the surrounding landscape. The repetition of this palette using vertical timber louvres to the upper part of the elevations with an altered approach learning from the existing green roof is therefore very welcomed. It is noted that the planting proposals are for meadow grassland and it is recommended that the proposed green roof makes use of native and locally characteristic species in that regard.

The use of solar PV at roof level is welcomed in principle. During the pre-application process concerns were raised regarding the PV panels in light of their potential visibility in longer views (particularly raised views from the landscape to the North) due to their height, angle and potential reflectivity. Further information has subsequently been provided to more fully understand this aspect which has largely alleviated the initial concerns. Given the nature of their use panels will be angled facing south and therefore away from the more sensitive landscape to the North. There are a substantial number of panels proposed and therefore it is considered of up most importance that a non-reflective finish is specified. The top edge of the panels whilst taller than surrounding green roof will be interspersed with the roof planting breaking up the panels and aiding their integration into the wider landscape views. Rooflights are proposed and would be orientated to the south-west to limit light spill visible from the more sensitive landscape to the North. The upstand of each roof light should be camouflaged by the proposed non reflective materiality (exact product yet to be confirmed) and adjacent green roof. Whilst angling the rooflight away from the North will help mitigate the visibility of direct light spill concern remains regarding non direct light spill resulting in a glow. It is considered there are solutions to resolve this such as timed automated blinds and that this element of the proposals should be secured by condition.

Concerns regarding the potential for light spill from the outline proposals for the phase 2 decked car park were raised during the course of the application and pre-application. Given the car park element of the proposals is at outline stage only limited information is provided currently regarding the design of this building. However, the provided section

detail provides reassurance that there are solutions to manage and mitigate light spill and direct light from vehicle headlights. It is considered at this stage sufficient information is provided to support the car park in principle. However, with any future reserved matters application additional detail regarding the management and mitigation of proposed car park access lighting and car head lights should be required. A safety balustrade to the perimeter of the roof is proposed on the revised drawings. Limited information regarding this aspect is provided at this time. It is considered additional information should be secured for review by condition as the balustrade has the potential to be very visually apparent depending on its design and location in terms of proximity to the roof edge.

Views and Setting - The site is visible in both longer distance views and close views particularly from Stane Street. The longer distance views will be largely screened and mitigated by the proposed landscaping works. In closer views particularly to the south the proposal will be highly visible in places (particularly following phase 2) given the developments taller height the existing building and closer proximity to the site boundaries.

The views towards the development from Stane Street will be largely screened by a landscaped bund. This bund will be closer and steeper than the others proposed given the proximity of the site boundary. This will undoubtedly alter the experience of being on / travelling along Stane Street towards the site from the Temple Bar junction and the sense of openness. Phase 1 in this area is well set back from the highway and is likely to have more limited impact and visibility given the proposed bund. Phase 2 will be substantially closer to the road and bund, however, given the bund is proposed to be implemented as part of phase 1, the planting would have time to mature in advance of phase 2 coming forward. The greatest impact on the views and setting here is considered to be the bund. Whilst its presence will alter the setting and views from Stane Street it is not considered this change would be detrimental in the longer term once the landscaping has become established. The visualisations are very useful in understanding this aspect of the proposals.

The views towards the site from Stane Street are likely to provide by far the greatest visibility of the proposed built form particularly following the construction of phase 2. As existing, the Rolls Royce factory building is visible from the Stane Street entrance with there being a break in the planting and wide access into the site. Phase 1 would have little impact here however Phase 2 would see the development in this area built substantially closer to the south site boundary and entrance into the site this will greatly increase the prominence of the building in the street scene. An additional bund is proposed here and an increase in planting which will provide some additional level of screening over and above the current situation. Whilst the areas built form is largely defined by two storey residential dwellings it does have a varied character including areas of openness and the existing Rolls Royce building and garage workshop building to the East of the Stane Street entrance. This results in the existing street scene not having a consistent character and therefore being less vulnerable to change. Despite this it is acknowledged that the development would change the appearance of the street scene substantially in this location and therefore must be designed with this in mind. Whilst illustrative at this stage the proposals indicate the delivery of a well-designed building in this location, picking up on and continuing the use of vertical timber louvres with a rounding of the corner repeating the proposed treatment of the north-east corner of the phase 1 extension and the southeast corner of the decked car park. As phase 2 designs are developed great care must continue to be given to the detailed appearance and quality of the material palette of

the proposal visible in this location in order that the final design contributes positively to the street scene.

Heritage - The site has a number of listed buildings nearby, some of which are adjacent to and form part of the Goodwood Estate but also to the immediate south-east of the existing site at the junction of Stane Street and Old Arundel Road. The listed buildings that are most likely to experience any discernible change in setting are those at Westerton Farm to the north-east of the proposal site and the former Coach and Horses pub. At present these have a largely verdant and rural setting that extends towards the existing site boundary beyond Sidengreen Lane. Whilst the construction of the extension would infill a portion of this setting, the listed buildings would still retain a significant open buffer on all sides. The closer proximity of larger modern structures to nearby listed buildings should be set against the existing situation, which is not dissimilar. The mitigation and landscaping works to the current scheme are superior to those currently in existence, again reducing the impact on heritage assets. Given the distance between the development and the more detached listed buildings successful mitigation measures to protect landscape views are likely to reduce / mitigate the impact. The contributing factors of distance and landscape mitigation are important factors in ensuring the scheme has no impact on Goodwood House itself or the designated parts of Goodwood Park.

The new car park structure would be visible from the setting of the former Coach and Horses public house. It would however be seen in the existing context of other modern structures, highways infrastructure and modern housing in close proximity. The proposals do not therefore cause any additional harm to the setting of this listed building. Taking into account the above assessment there are not likely to be any harmful cumulative impacts on the settings of nearby listed buildings. This is primarily due to the intervening distance from the proposals, the extensive and high quality mitigation proposed and the baseline impacts of the current facility and other nearby modern development.

#### 6.14 CDC - Environmental Protection

##### Comments received 09.02.2024

Our department does not object to the development, in principle, however it is evident that various conditions shall be necessary to safeguard amenity. Our department has been liaising with the applicant's agent and appointed consultants and have worked on drafting some conditions that we consider to be suitable. Broadly speaking conditions fall into two categories, those considered necessary for the construction stage and those for the operational stage. Condition topics are as follow:

Construction Stage: The requirement for a Construction Environmental Management Plan (CEMP), to be submitted and approved. This shall include controls relating to noise, vibration, lighting, dust, times of working etc.

Operational Stage: Conditions to control noise levels from mechanical plant and commercial activities on site. The requirement for an Operational Management Plan to be submitted and approved, in order to capture a host of activities associated with the car-parks etc. Conditions also to address lighting, solar glare, land contamination, air quality, and specification of extraction equipment to include flue height.

##### Comments received 14.12.2023

Air quality - Impacts on air quality from traffic emissions and from the Exterior Surface Centre emissions have been assessed and appropriate pollutants have been considered. An assessment of odour has also been undertaken. Detailed dispersion modelling has

been undertaken to predict the air quality impact at relevant receptor locations. A number of queries were raised with the consultants regarding the assessment – the queries have been adequately answered and the overall conclusions of the report are agreed with by the EP team. The conclusions of the report indicate that conditions are necessary to control air quality impacts from the development. Conditions are cited relevant to the construction and operational phase. Condition recommended regarding emissions from the electric regenerative thermal oxidiser (RTO) [the new chimney to the new phase 1 Exterior Surface Centre building] to abate VOC emissions from the spray booths and ovens.

Active travel - The recommendations made by Active Travel England are supported by the EP team and are considered to further provide mitigation of air quality impacts resulting from the development ie promotion of active travel may reduce vehicle use by employees which will help to reduce the impacts of the development on nearby residential receptors. Support towards LCWIP route N as noted by ATE is also welcomed.

Comments received 27.10.2023

Land contamination – We agree with the applicant’s preliminary risk assessment July 2023 that a precautionary approach in case unexpected land contamination is encountered during development works. It would be expected that all future fuel and chemical storage areas are constructed with impermeable bases and with bunding to prevent impacts to ground or water resources.

Air quality - The existing site air quality concentrations are below the National Air Quality Objective limits (i.e. are compliant with the Objectives) and the nearest Air Quality Management Area is 2.5km away. An air quality assessment has been undertaken for both the construction phase and the operational phase (i.e. with phases 1 and 2 complete). Impacts on air quality from traffic emissions and from the Exterior Surface Centre emissions have been assessed and appropriate pollutants have been considered. There are a few queries as which need clarification in order for final comments to be made on the conclusions given. With respect to the air quality assessment from traffic – further comments will be made when the queries relating to the trip generation rate have been finalised.

6.15 CDC - Archaeology Officer

Comments received 18.01.2024

I consider that the proposed methodology [as set out in the *Written Scheme of Investigation for a second stage, open area excavation*] should result in suitable preservation of the significance of the archaeological interest that the site has been shown to contain. In order for this to be properly secured, as part of the planning process, planning permission should have a condition attached requiring that the archaeological investigation, recording, analysis and dissemination of the results should be undertaken as detailed in the WSI.

Comments received 12.09.2023

I agree that the effects of construction on the archaeological interest that the site has been shown to contain would be likely to be significant. I also agree that these should be mitigated through a programme of further investigation, recording and publication of the results and, where appropriate, measures to facilitate preservation in situ of any

particularly sensitive deposits. This process should be secured via the imposition of a suitably worded standard planning condition.

#### 6.16 CDC - Landscape Officer

##### Comments received 18.01.2024

Addendum provided to landscape comments previously issued [29.09.2023] and based on the updated documents submitted in Dec 2023.

Outstanding points were: updated tree graphics were required, clarification of visual impact from longer distance highly sensitive receptors, importance of the green roof being 'green' from the very onset of day 1, previously agreed new viewpoints added to LVIA. Revised and updated photomontages contain a more realistic graphic depicting the deciduous tree varieties. This provides a better assessment of the perceived visual effects and seems acceptable. 3 scenarios have been identified in respect of Phase 2:

Phase 2 Operational Development Scenario - It is agreed with the author's assessment that for VP11 [*the view from Stane Street looking into existing R-RMC site entrance*] the visual effects would remain significantly adverse as the mitigation planting would not be successful in screening the view of the new Phase 2 building. It is also acknowledged that the removal of visual clutter identified in the baseline for example tented facilities etc would bring visual relief and realise a beneficial effect.

Phase 2 Delayed Scenario - this scenario offers a pragmatic solution with regards to ensuring a greater degree of landscape mitigation and integration, especially so for the close-up receptors. It is agreed that a delay of 7-10 years would result in better integration of the proposed structure due to significant growth of vegetation and matured bund planting. As Phase 1 building would have already been introduced into the visual amenity and perception of the nearby receptors for a relatively longer period, it is presumed that the introduction of Phase 2 building would not result in a greater magnitude of change for the nearby receptors.

Phase 2 Not Implemented Scenario - it is agreed that from a landscape perspective non-implementation of Phase 2 would result in improvement in the assessment for the close by receptors, due to reduced footprint and building setback from Stane Street.

Detailed matters of landscape design can be secured by condition [*the consultation response sets these measures out*].

A large portion of the previously cited landscape related visual impact and design related concerns have been addressed by the provision of the recently updated documents. It is considered that if the right variety of mitigation strategies along with the design alterations as suggested in the consultation response are implemented, the development would not result in undue harm to the visual amenity of the immediate and wider landscape.

##### Comments received 29.09.2023

The general approach to the assessment [in the LVIA] is clear and detailed, however, there are certain sections in the assessment that require revisiting from the author. It is considered that as it stands the LVIA requires more work and a wider selection of representative viewpoints surrounding the application site to enable robust judgements on the likely visual effects of the proposed development. The photomontages require accuracy, as in their current form the graphics appear to be misleading. It is also considered that there is insufficient information available to understand the visual impact of Phase 2 structures over the wider and immediate landscape.

#### 6.17 CDC - Environmental Strategy Officer

### Habitats and Wildlife Corridor

- Following submission of the Biodiversity Management Plan (Dec 2023) we are satisfied that this is suitable and a condition should be used to ensure this takes place. Following submission of the Outline Construction Environmental Management Plan (Dec 2023) we are satisfied precautions are in-place to ensure the retained habitat is protected during the construction phase and post construction. We require that a full CEMP is submitted as part of a future reserved matters application.

SAC Bats - Following extensive survey methods as detailed within the ecological survey work and the Environmental Statement (July 2023) the site was found to be used by low numbers of barbastelle, however this species were not found to be foraging onsite and it was determined that the recordings were likely from one individual infrequently, and briefly, passing through the site to other foraging areas.

Due to this and with the inclusion of new habitats onsite, an enhanced planting scheme, a sensitive lighting scheme as detailed below and a CEMP there will be no likely significant effect on SAC bat qualifying species from the proposal.

Bats - Following submission of the Bat Mitigation Strategy (Dec 2023) we are satisfied that this would be suitable, and a condition should be used to ensure this takes place. We note that lighting has been discussed within the strategy but we require that as part of the reserved matters application a full lighting plan is provided.

Dormice - Following submission of the Dormouse Mitigation Strategy (Dec 2023) we are satisfied that this would be suitable and a condition should be used to ensure this takes place.

### Reptiles

Following submission of the Reptiles Mitigation Strategy (July 2023) and ES (July 2023) we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place.

Great Crested Newts - Following extensive survey work and eDNA testing as detailed within the ES (July 2023) and Preliminary Ecological Appraisal (March 2022) and 2022 Ecology Surveys Report (Jan 2023) it has been determined that Great Crested Newts are not present onsite, and no further survey work is required for this species.

Enhancements - Following submission of the Biodiversity Management Plan (Dec 2023) we are satisfied that this is suitable and a condition should be used to ensure this takes place. A comprehensive plan will need to be provided as part of a future reserved matters application.

Biodiversity Net Gain - Following submission of the Landscape & Ecological Management Plan (Dec 2023) and Outline Construction Environmental Management Plan (Dec 2023) we are satisfied that the habitats and enhancements onsite will be suitably managed during and post construction. A condition should be used to ensure this takes place.

Policy 40 – Following the submission of the Sustainable Design and Construction Statement (July 2023) we are satisfied that this meets the requirements of policy 40 including the installation of PV and Air Source Heat pumps within the scheme.

## 6.18 CDC - Economic Development

The Economic Development Service supports this application.

Rolls-Royce Motor Cars is one of the largest employers in the district. When the original site was applied for it was projected to deliver 1,000 cars a year and employ under 1,000 staff. This has now risen to over 6,000 cars in 2022 and 2,500 employees. While they included room to grow in their original application, this has clearly exceeded their own projections, which is why they need additional space.

The Rolls-Royce site is now well established at Goodwood and to seek space further afield could be detrimental to the future of the current site. This is an opportunity not only for Rolls-Royce to expand their operation within the district, but also to review their travel plans to create a more considered approach to staff travel which will in turn ensure that the local residents experience as little impact as possible.

## 6.19 South Downs National Park Authority

We note that the proposal will deliver significant economic benefit to the District and that this is an important factor in the planning balance, alongside other important factors such as impact on the setting of the National Park, impact on neighbours etc. Overall, the SDNPA has no objection to this proposal but would ask that the following be taken into account and addressed before a decision is made:

1. This large addition to the Rolls Royce factory and associated car parking lies in the setting of the South Downs National Park. It is a site that is exposed in some views from within the National Park and thus has the potential to affect the setting of the National Park. The proposal's landscape bund and extensive planting is supported in this case as it significantly ameliorates the proposal's impact, as does the proposed green roof which it will be important to deliver and which will mitigate the proposal's impact in long range views from the National Park (e.g. from Halnaker Windmill). It is recommended that the green roof use native and locally characteristic species. The tapered footprint of the building (with the widest part of the new buildings positioned within the site furthest away from the National Park) is supported, albeit it is acknowledged that to some degree this is a product of the site's geometry.
2. The South Downs National Park is a designated International Dark Skies Reserve. Relatively dark areas such as around the application site help preserve the dark sky quality of the National Park. Therefore, we would ask that all new lighting comply with the requirements of our 2021 Dark Skies Technical Advice Note. Following this document's requirements will significantly mitigate any impact on Dark Night Skies but I would also make the following, additional comments:
  - a. The roof lights shown to the new proposal should have automatic timed blinds (controlled by condition) to prevent the escape of light after dark.
  - b. The multi storey car park is sizeable and there is limited detail about how lighting from this will be controlled (it is noted that this is within the 'outline' part of this hybrid application).
3. Regarding the landscape bund it is not clear exactly what vegetation could be grown on this given its relatively steep gradient. It is important to provide a detailed planting plan for the bund and any boundary planting, perhaps as a condition on any planning approval.
4. Important to ensure that the proposal delivers Biodiversity Net Gain, contributing positively to green infrastructure and nature recovery ambitions offers some mitigation for remaining impacts of the scheme (for example on footpath 417, a popular route with clear views to the National Park).

5. Given the climate emergency the use of solar panels to the roof is supported but we would ask that they are finished (e.g., matt finish) to reduce glare in views.

## 6.20 Goodwood Aerodrome

Safeguarding issues raised relating to potential bird strikes/disturbance during earthworks, the use of cranes/high reach devices close to the aerodrome. Construction methodology in terms of the type of building finishes - the amount of glazing, solar PV, cladding etc on the face of the building which is towards the Aerodrome and towards the final approach track is critical in terms of glint and glare as a potential distraction to aircraft departing and/or arriving. The type of lighting mounted on the structure of any building and even in car parks, will require assessment to ensure that these are not creating any visual distraction to aircraft arriving or departing the Aerodrome. Landscaping - The developer should look to introduce landscaping which is not an attractive environment for bird activity. This would include not planting any berry bearing shrubs or bushes and not introducing any water features.

## 6.21 31 Third Party Objections

- Green belt land should not be developed
- Adjacent to National Park
- Contrary to Local Plan policy 45
- Should be on an industrial estate
- Vandalism of the environment
- Loss of field for food production
- Harmful to wildlife using the field
- Will have zero benefits for the local community
- Loss of footpath will be a huge inconvenience
- PROW diversion not acceptable. Will make journey 350m longer and cut off Westerton in winter when paths are wet
- New access onto Stane St will increase traffic around the area and result in an unacceptable level of traffic growth
- Increase of traffic on unsuitable narrow A285 is a safety hazard
- How will HGV internal routing through the site be enforced?
- Traffic noise. Rolls Royce need to change the culture of their employees. Shift changes are awful for residents and have got worse especially in the mornings. At present vehicle movements noted from 04:15 am right around the clock to 00:15 following day, therefore only 4 hours of peace in the middle of the night. 3pm traffic jam has big impact on peoples lives with massive traffic queues at shift changeover. Staff use Stane Street like a race track - over revving old cars, loud exhausts, screeching of wheels with no thought for residential amenity.
- Multi-storey car park will be an eyesore, not in keeping with village environment and concerns regarding noise, fumes and lights.

## 6.22 1 Third Party Support

- Diversion and upgrade of the footpath is accessible and user friendly
- New state of the art production facility for electric vehicles to embrace and enhance the natural environment
- Development area is de minimis compared with the size of Madgwick Park



- Value, prestige and contribution Rolls Royce delivers to the City and wider hinterland is priceless

### 6.23 Agents Supporting Information

The application is accompanied by an Environmental Statement and a substantial and comprehensive suite of supporting documents, all of which can be accessed via the public file on the Council's website. The applicant has additionally provided the following summary statement:

Since 2003, when production began at its global headquarters situated at Goodwood, Chichester, Rolls-Royce Motor Cars (RRMC) has developed into a prestigious, internationally renowned manufacturer of luxury motor cars with a distinct and strong brand identity. The Home of Rolls-Royce remains the only place in the world where Rolls-Royce motor cars are hand-built. When the Home of Rolls-Royce first opened in 2003, it employed 350 people, and produced just one motor car a day. Now over 2,500 people work at the Goodwood site, including 180 jobs created by the company in 2023 alone. Last year, RRMC recorded the highest annual global sales in its history, exceeding 6,000 motor cars sold for the second consecutive year, all of them including elements of Bespoke personalisation.

There are significant financial benefits from the scheme. However, RRMC acknowledges it needs to be delivered in full recognition of the fact that the facility is located in close proximity to residential dwellings, that it results in the diversion of a public right of way and is set within the context of the fringe of the South Downs National Park. RRMC have worked collaboratively with CDC and residents to deliver a scheme which:

1. Improves traffic / congestion and highways safety through new traffic routing, revised logistics systems and the provision of new car parking strategies;
2. Delivers improvements to the surfacing of FP417 to enable ease of use;
3. Minimises visual impact to local and wider views of the site, including from the South Downs through the introduction of green roofs and extensive new landscaping;
4. Respects the ecology of the site and delivers in excess of 10% Biodiversity Net Gain through on and off site measures; and
5. Reduces the impact upon the local area through the introduction of expansive new bunding alongside the introduction of a replacement state of the art paint shop.

In summary, RRMC is committed to delivering a sustainable scheme that fully mitigates its impact and responds positively to the local context, all while generating substantial economic and environmental benefits. Furthermore, RRMC appreciates its role in the local community and the importance in providing a high-quality scheme that compliments the existing environment. The updates to the original application have enabled the positive evolution of the proposals, which have been well received by consultees. RRMC appreciates the support received from Chichester District Council throughout the determination process and the recommendation for approval to Planning Committee.

## 7.0 Planning Policy

### The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made

neighbourhood plans. There is no made neighbourhood plan for Westhampnett at this time.

- 7.2 The principal planning policies from the adopted Local Plan 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 8: Transport and Accessibility  
Policy 9: Development and Infrastructure Provision  
Policy 13: Chichester City Transport Strategy  
Policy 26: Existing Employment Sites  
Policy 39: Transport, Accessibility and Parking  
Policy 40: Sustainable Design and Construction  
Policy 42: Flood Risk  
Policy 45: Development in the Countryside  
Policy 47: Heritage  
Policy 48: Natural Environment  
Policy 49: Biodiversity  
Policy 52: Green Infrastructure

Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19)

- 7.3 The Chichester Local Plan 2021-2039: Proposed Submission (LPPS) has now completed its 'Regulation 19' consultation (17 March 2023). The Council's published Local Development Scheme in January 2023 anticipated that the plan would be submitted for examination in Summer 2023 but given the complexity of issues involved the anticipated submission date is now early 2024. Accordingly, the plan could now be considered to be at an 'Advanced Stage of Preparation' for the purposes of para 48(a) of the National Planning Policy Framework (NPPF) and consequently could be afforded moderate weight in the decision-making process. Once it is submitted for examination it will be at an 'Advanced Stage' for the purposes of assessment of development proposals against para 49(b) of the NPPF.

- 7.4 Relevant policies from the published Chichester Local Plan Review 2021 - 2039: Proposed (Regulation 19) are:

S1: Spatial Development Strategy  
NE2: Natural Landscape  
NE4: Strategic Wildlife Corridors  
NE5: Biodiversity and Biodiversity Net Gain  
NE6: Chichesters Internationally and Nationally Designated Habitats  
NE8: Trees, Hedgerows and Woodlands  
NE10: Development in the Countryside  
NE15: Flood Risk and Water Management  
NE16: Water Management and Water Quality  
NE20: Pollution  
NE21: Lighting

NE22: Air Quality  
NE23: Noise  
NE24: Contaminated Land  
P1: Design Principles  
P2: Local Character and Distinctiveness  
P9: The Historic Environment  
P13: Registered Parks and Gardens  
E2: Employment Provision  
T1: Transport Infrastructure  
T2: Transport and Development  
T3: Active Travel - Walking and Cycling Provision  
T4: Parking Provisions  
I1: Infrastructure Provision  
**A21: Land East of Rolls Royce**

7.5 Draft policy A21 provides the most direct and targeted focus for emerging policy considerations relating to this application. The draft policy wording proposes that:

*'Approximately 10 hectares of land is safeguarded for Rolls Royce related employment development on the eastern side of the existing Rolls Royce Motor Cars manufacturing plant at Westhampnett.*

*This safeguarding will create long-term strategic expansion land to support the potential growth of manufacturing by Rolls Royce Motor Cars. The range of uses could include:*

- *Low volume, high value manufacturing;*
  - *Just-in-time sequencing of production parts;*
  - *Supporting logistics space;*
  - *Ancillary offices for the manufacturing activity; and*
  - *Ancillary and replacement car parking.*
- Any planning application for employment development will need to demonstrate that:*
1. *It will support low volume, high value manufacturing;*
  2. *It has a direct connection to Rolls Royce Motor Cars;*
  3. *Increased traffic generation is minimised and mitigated by the use of sustainable transport measures;*
  4. *The highest design and environmental standards are used to complement the existing building;*
  5. *Any adverse impacts on the landscape and setting of the South Downs National Park are first avoided, then mitigated; and*
  6. *Access into the South Downs National Park is maintained through diversion and protection of the existing footpath.*

*The site should be designed and masterplanned in accordance with the National Design Code and any design code or guidance adopted or approved which is relevant to the site.'*

#### National Policy and Guidance

7.6 Government planning policy comprises the National Planning Policy Framework (NPPF - 20 December 2023) and related policy guidance in the NPPG.

7.7 Paragraph 11 of the current Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 important for determining the application are out-of-date, granting permission unless:*

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

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

7.8 The following key sections of the revised NPPF are relevant to this application: 2 (Achieving Sustainable Development), 4 (Decision Making), 6 (Building a Strong, Competitive Economy), 9 (Promoting Sustainable Transport), 12 (Achieving Well-Designed and Beautiful Places) and 15 (Conserving and Enhancing the Natural Environment). The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

7.9 The National Design Guide 2021 and the National Model Design Code and Guidance Notes for Design Codes should be read in conjunction with section 12 of the NPPF and provides practical guidance on how well-designed places can be achieved.

#### Other Local Policy and Guidance

7.10 The following documents are material to the determination of this planning application:

- Planning Obligations and Affordable Housing SPD (December 2018)
- Surface Water and Foul Drainage SPD (September 2016)
- National Character Areas (2014): Area Profile 126. South Coast Plain
- West Sussex Landscape Character Assessment (2003): SC9 – Chichester to Yapton Coastal Plain
- WSCC Transport Plan (2011-2026)
- A27 Chichester Bypass Mitigation SPD August 2023 (Draft)
- Chichester City Local Cycling & Walking Infrastructure Plan (LCWIP) (2020)

7.11 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.
- Prepare people of all ages and abilities for the workplace and support the development of life skills.
- Develop a local workforce that meets the needs of local employers.
- Support local businesses to grow and become engaged with local communities.
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles.
- 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 development and the policy position
- ii. The economic case
- iii. Design and landscape impact
- iv. Highway matters
- v. Footpath diversion
- vi. Construction management
- vii. Ecology and BNG
- viii. Other matters: drainage, residential amenity, sustainability of construction, archaeology and heritage issues, loss of agricultural land

### **Background**

8.2 Before moving to consideration of the above issues raised by the application it is relevant to set out some existing context. The current Rolls-Royce Manufacturing facility comprises approximately 50,000 sqm of built space spread over 3 main buildings: a pavilion for managerial and customer relations, a manufacturing plant, and a Surface Technology Centre paint shop. It was given planning permission in its current countryside location on 8 August 2001 and the first car rolled off the production line in 2003. The design of the existing building by world renowned architects Grimshaw and partners won several awards including the 2004 RIBA Regional Award and the 2004 Royal Fine Art Commission Building of the Year Award. The success of the current complex in terms of the built form is considered to be the way in which the design integrates itself unobtrusively into its wider rural setting. Jonathan Glancey writing in The Guardian at the time noted the significance of the building, “Grimshaw’s factory is a turning point, not just in British car manufacturing, but in the way we experience the countryside – which, it says, can be productive and enjoyable, industrious and romantic, at one and the same time.”

8.3 The current proposals were part of a detailed pre-application enquiry by R-RMC which has helped to shape the submitted scheme. The Council issued a Scoping Opinion on 6 February 2023 in respect of the applicant’s proposed submission of an Environment Statement which now accompanies this planning application. Grimshaw’s are once again the appointed architects on the current application and that same ethos of assimilating a large modern factory building into a rural landscape is the driving force behind the design approach. Over the past 20 years Goodwood (Westhampnett) has cemented itself as the home of Rolls-Royce Motor Cars – the cars are produced nowhere else – but the current factory has reached capacity in terms of production and the business needs to modernise and grow. The existing site does not provide that capacity to grow for the future.

#### **i. Principle of development and the policy position**

8.4 The existing R-RMC site at Westhampnett is outside of any settlement policy boundary and is located in the rural area or ‘Rest of Plan Area’ as designated in the adopted Local

Plan. That current policy designation is no different now than it was back in 2001 when the existing manufacturing plant was granted planning permission. The initial policy principle of establishing a large manufacturing facility in the countryside has therefore in a sense already been addressed. Local Plan policy 45 'Development in the Countryside' is nevertheless still relevant in part to consideration of this application. The first part of the policy is relevant:

*'Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements'* [emphasis added].

The business expansion requirements of R-RMC in terms of continuity of production, increased capacity and utilisation of existing infrastructure, resources and facilities relies on that expansion being part of the existing development site and/or being immediately adjacent to it. Whilst the current proposals do not therefore meet the, 'essential, small scale, and local need' tests of policy 45, it is considered that the alternative of providing a new manufacturing facility on a completely different site, physically separate from the established home of the company is not a realistic prospect and would be unsustainable for a host of pragmatic and environmental reasons. Given the unique circumstances of the Rolls-Royce site - a large, well-established manufacturing location in the rural area - the policy requirement for 'a countryside location' in respect of the further expansion plans is considered to be justified in principle, subject to consideration of the detail.

- 8.5 A further limb of policy 45 relevant to consideration of the application is criterion 3 which reads:

*'3. Proposals requiring a countryside setting, for example agricultural buildings, ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area'*.

For the reasons set out in the later sections of this report, it is considered that the proposals respond successfully to these requirements principally through the design and form of the building and the significant landscape mitigation so that overall Local Plan policy 45 is not offended by the development.

- 8.6 In addition to overarching policy 45, Local Plan policies 3 and 26 are particularly relevant. Policy 3 supports employment provision and the sustainable growth of the local economy. It refers in particular to: *'Protecting and enhancing existing employment sites and premises to meet the needs of modern business'* [emphasis added]. The applicant's proposals are considered to be in-step with this objective.

- 8.7 Policy 26 refers to existing employment sites and states that, *'Planning permission will be granted for development of employment floorspace, refurbishment, upgrading or modernisation of existing premises...'* subject to demonstrating no materially harmful impact on residential amenity in terms of noise, odour, lighting, machinery usage or other activity as well impacts from levels of traffic movements, the scale of development and appearance of the site in the landscape. Policy 26 supports in principle the applicant's proposals for both Phase 1 in respect of those components on the existing site – construction of the new Assembly Hall, refurbishment and re-organisation of the existing building, and the outline components of Phase 2 on the existing site i.e., the proposals for the Analysis, Assembly and Distribution building over the existing Stane Street car park.

- 8.8 Emerging policy A21 of the LPPS cited above at paragraph 7.5 recognises the significant contribution that Rolls Royce has made and is continuing to make to the local economy

and employment. Whilst still a policy in draft, it provides a very clear indication of the importance the Council attaches to fostering the continued development of this blue-chip company. It safeguards land for the future expansion of R-RMC only, rather than specifically allocating it for general employment use, which reflects the unique circumstances of this company and its positioning in the local economy. The draft policy represents the Council's preferred direction of travel. It has not yet been subject to examination at the Local Plan Inquiry and is not adopted policy which can be given full weight. That said, the LPPS consultation process on the proposed policy has resulted in only 8 representations received, 5 of which are in support and 3 against, and of the 3 against none were substantive objections to the policy but more seeking additional policy wording for example in respect of landscaping, protecting species habitats, biodiversity net gain, travel plan, promoting walking and cycling routes and the expansion of the staff bus scheme. These matters are all within the ambit of the submitted application and can be addressed by condition/s.106 agreement. Paragraph 48 of the recently issued NPPF confirms that the more advanced the preparation of an emerging plan is, the greater the weight that may be given to policies in it. The Council is about to submit the LPPS and considers that there are no 'significant' unresolved objections to draft policy A21. At the time of writing, and now that the Rolls Royce proposals through this application are formally known, the Council is satisfied that subject to some minor modifications and updating to the wording, the draft policy is sound and therefore attracts greater weight. Officers consider that as part of the consideration of this application, A21 policy objections are capable of being addressed through conditions attached to the recommendation to permit or via the accompanying S.106 legal agreement.

- 8.9 Notwithstanding the evolving LPPS policy position, government policy in the NPPF unequivocally underscores, with qualification, the importance of supporting business growth in the economy. Section 6, paragraph 85 states: *'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.'* [emphasis added].
- 8.10 Under 'Supporting a prosperous rural economy', NPPF paragraph 88 makes it clear that: *'Planning policies and decisions should enable:*  
a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings'.*
- 8.11 Paragraph 89 acknowledges that not all business expansion plans can be accommodated within settlement boundaries: *'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'*

8.12 Taken together as a policy 'package' the foregoing identify that there are strong drivers both in terms of government policy and adopted and emerging development plan policy to support the principle of the expansion of R-RMC current operations at Westhampnett. In the context of positively and proactively encouraging strong and sustainable economic growth, it is next necessary to examine the specific economic case for Rolls Royce.

**ii. The economic case**

8.13 Since the headquarters of R-RMC first became operational over 20 years ago occupying a 12.2 ha site at Westhampnett, the company has seen strong sales growth worldwide. Employee numbers and the scale of vehicle production on the site have grown. Originally employing under 1,000 staff this has now risen to 2,500 and is forecast under this application to increase to 3,000 in phase 1 and then to 3,450 following phase 2. Around 75% of the employees live within 15 miles of the plant. A further 7,500 jobs are estimated to be supported in the wider supply chain.

8.14 The number of vehicles produced has increased from an initial output of less than 1,000 to more than 6,000 in 2022 with the existing facility manufacturing approximately 28 cars per day. As a consequence of phase 1, R-RMC estimate production may increase to around 34 cars per day and potentially up to a maximum of 44 per day on completion of phase 2. More than 90% of the vehicles currently produced are exported.

8.15 R-RMC is one of the largest employers in the district and as with all companies there is a continual need to adapt and grow to remain relevant for the future. For example, R-RMC is looking to increase capacity for its Bespoke and Coachbuild operations in response to market demand, as well as preparing for its new generation of electric vehicles. All Rolls-Royce models are planned to be electric by the end of 2030. Whilst R-RMC's existing original site provided the company with some limited room to expand, this has been on an ad hoc basis as witnessed by some of the temporary 'marquee' structures that have been required. What is clear is that the company's economic success has exceeded original expectations and that 20 years on the further expansion in production of luxury motor cars will be constrained without the availability and certainty of a long-term strategic expansion capability.

8.16 The Council's Economic Development Service is fully supportive of the proposals. It points out that because the operation is now so well established at Westhampnett to seek space further afield could be detrimental to the future of the current site. R-RMC have strong links to several businesses within the district. These businesses include the suppliers of parts, servicing and maintenance, and luxury historic car repair and maintenance. Additionally, R-RMC has an established apprenticeship scheme that has run every year since 2006 and is one of the most respected and prestigious of its kind in the UK. In 2022 it had an intake of 37 apprenticeships with an apprenticeship lasting up to four years (R-RMC support 80 apprenticeships and graduate trainee positions). The apprenticeship programme delivers employees with transferable skills that several of the larger sectors in the District can also benefit from, e.g. engineering skills are highly sought after in the Horticultural industry which is a key player in the local economy. R-RMC also provide around 100 paid internships for university students some of whom return to the business as employees following their graduation.



8.17 That there is a robust economic case presented by R-RMC for its continued growth and expansion there can be little doubt. In 2022 the London School of Economics (LSE) benchmarked the company's progress to date. It found that since production began at the site in 2003, R-RMC has contributed more than £4 billion to the UK economy, 'UK Plc'. R-RMC is therefore not only an increasingly big player nationally and internationally, but it is a very important local business. However, notwithstanding the strong economic case for expansion, that expansion can only be appropriate and acceptable provided that its immediate and residual impacts are not materially harmful to the context of its location. The following sections of the report considers those impacts.

### **iii. Design and landscape impact**

8.18 A full appraisal of the detailed design of the main phase 1 building (and the likely form and impacts of the phase 2 decked car park and the Analysis, Assembly and Distribution building) is provided at paragraph 6.13 of this report by the Council's Conservation and Design service. Planning officers agree with those consultation comments and the following remarks therefore supplement and augment them.

8.19 In taking the manufacturing facility into a new era of motor car production, the same architects have re-visited the R-RMC site 20 years on and looked closely at what has worked well and what could be improved whilst still providing the functionality that modern car assembly processes now require. The existing building has a curved or barrel-vaulted roof which whilst a strong design feature does compromise the internal floorspace and the needs and flexibility of the facility for modern motor car production. The proposed phase 1 building therefore adopts a more uniform box like profile to maximise the height and functionality of the internal space. Whilst on the face of it this might be considered a backward design step in terms of the new buildings' relationship to and integration with its surroundings, that relationship is considered to be successfully addressed through the main visual mitigation measures of the landscaped bunds. A secondary technique employed by the architect to assimilate the building is to disrupt the uniform profile of the 283m long east elevation and the shorter (61m long) north elevation through the use of vertically aligned timber louvres on the upper part of the building. These louvres are orientated to produce a subtle wave effect echoing the downland setting. Designing the phase 1 building to be freestanding with a connection to the existing building at first floor via a bridge ensures that the design of the existing building isn't compromised by the new. It removes the need for an awkward roof junction between the existing building and the phase 1 building which is approximately 2.35 metres higher. It also allows for the penetration of natural light further into the building reducing a reliance on artificial lighting.

8.20 The main lesson from the existing facility is that it is possible to satisfactorily camouflage indeed virtually hide, a substantial manufacturing building in the countryside so that over time it becomes thoroughly assimilated with its surroundings. The previous formula of using planted landscaped mounds to the north and east with extensive planting is therefore repeated for this application.

8.21 A less successful outcome on the existing building which draws unintended attention particularly in views from Stane Street is the large rectangular chimney (9m x 4m) which projects 7.5m above the main roofline of the Exterior Surface Centre and above the treeline on the eastern mound. This chimney will be removed as part of the proposals. Even though the new phase 1 building is approximately 2.35m higher than the existing

building, the new phase 1 roofline will still be approximately 1.63 m lower than the top of the existing chimney. In learning from the existing external roof impacts the level of roof protuberances on the phase 1 building have been kept to a more uniform height (e.g. PV panels and balustrade railings). There will still need to be a chimney to the new Exterior Surface Centre but with advances in modern extraction technologies this will be very significantly smaller and markedly less conspicuous. The submitted plans show a short cylindrical chimney flue measuring 2m in diameter and projecting approximately 2.1 m above roof level (1.5 m above the top of the PV panels).

- 8.22 A further unanticipated outcome of the existing building in design terms is the appearance of the sedum roof. Whilst the concept of a 'green' roof is fully supported in terms of attenuating surface water run-off, enhancing bio-diversity and helping to bed the development into a rural setting, particularly in more distant views, the sedum roof has adopted a reddish-brown colour which does not blend as effectively into its setting as it could. The proposals for the new phase 1 building (and the phase 2 buildings) take this lesson on board. The new roof is to be planted up with a meadow grassland mix to provide a more naturalistic result in terms of its downland setting.
- 8.23 The approach of sinking the buildings into a re-profiled landform in terms of how the site will be read both in distant views from highpoints on the Downs to the north (e.g. from the Trundle and Halnaker Windmill) and from closer views along Stane Street has been considered in detail by the Council's Landscape officer. Through a series of requested amendments to the applicants Landscape Visual Impact Assessment (LVIA) and the production of verified photorealistic montages it has been possible to accurately portray how the development will appear at the outset of the completion of phase 1 and again at year 15 once the planting established with phase 1 has established and matured.
- 8.24 From the Trundle and Halnaker Windmill, the existing manufacturing facility is barely discernible, being absorbed into the patchwork backcloth of countryside. Officers are satisfied that the longer distance views of the proposed development will be successfully managed by the mitigation of the planted bunds and the design of the building. In confirming no objection to the application, the consultation response from the National Park Authority (paragraph 6.19) whilst acknowledging that the re-developed site has the potential to affect the setting of the National Park, accepts that the proposal's landscape bund and extensive planting, combined with the proposed green roof will significantly ameliorate the proposal's impact in long range views, and it cites Halnaker Windmill in that regard. It points out that the tapered footprint of the building (with the widest part of the new buildings positioned within the site furthest away from the National Park) also helps to lessen the impact in distant views.
- 8.25 Given the proximity of the site to the National Park there is also a potential concern regarding artificial light spill from the rooflights in the phase 1 building which in distant views has the potential to result in visible pinpricks of light or skyglow. The National Park Authority in referencing its Dark Skies policy has asked for automatic timed blinds (controlled by condition) to prevent the escape of light after dark. Officers consider measures to prevent light spill to be a necessary requirement and a condition to control light spillage both in respect of the phase 1 building and the decked car park on phase 2 is attached to the recommendation.
- 8.26 In terms of the visual impact from close quarter views - principally along Stane Street - there will be a clear appreciation of a changed landscape as a consequence of the

development, particularly during the construction phase and the early years whilst the tree planting and vegetation establishes. Principally this change will be associated with the new landscaped bund for phase 1 which on approaching the site along Stane Street from its junction with A285 is moved closer to the east site boundary and into the field of view. However, that field of view is not entirely 'rural' at present with the Exterior Surface Centre chimney visible on the skyline and the grey metal clad industrial buildings at The Mill industrial estate. Whilst phase 1 will alter the setting and views from Stane Street it is not considered this change would be detrimental in the longer term once the landscaping has become established. Much of the new planting at day 1 to the north, east and south will already be well established nursery stock with a mix of native and evergreen trees being planted at heights ranging from 3.5m to 7m high, a woodland edge and understorey mix at 1.2m high and the top of the eastern bund planted along its entire length with an 'instant' 1.8m high mixed species hedge.

- 8.27 The degree of visual change associated with the phase 2 decked car park and the Analysis, Assembly and Distribution building is less certain given that these components are submitted in outline as part of this hybrid application. Through the application process the applicant has submitted information to provide a degree of assurance as to the likely impacts. The development parameter plan which will be conditioned confirms the maximum dimensions and positioning of the buildings on the site and that the decked car park will be attached to and at the same height as the phase 1 building. The Analysis, Assembly and Distribution building will be 7,500 sqm GIA over 2 floors and the car park 48,000 sqm over 4 floors. The car park will have a rounded corner to the south-east, be clad externally in vertical timber louvres orientated to continue the same 'wave' effect pattern as on the east and north elevations of phase 1, and photovoltaic panels set amongst the meadow grassland on the roof. Whilst the final design details will need to form part of a subsequent reserved matters application, from a visual perspective, officers are satisfied that the decked car park will be satisfactorily screened but not hidden by the landscaped bund on the south boundary and the section drawings submitted with the application bear this out.
- 8.28 While acknowledging that the final detail of the decked car park is for a later application, officers have nevertheless tasked the architects with demonstrating how the building will deal with issues such as light spill from the sweep of car headlights and ambient light at height from internal light fittings. The initial lighting design strategy set out in the Design and Access Statement Addendum explores likely solutions. These include the introduction of opaque upstands internally to reduce the direct impact of headlight sweep at all 4 levels of the car park whilst the addition of an external timber screen capable of being fully closed is being looked at on the top 2 more visible levels of the car park façade to prevent ambient light spill. On the basis of the information provided to support this outline component of the application, officers are assured that subject to the lighting and noise conditions on the recommendation and the control over this issue which can be further exercised by the Council at the reserved matters stage, then this matter is capable of being satisfactorily addressed.
- 8.29 The phase 2 Analysis, Assembly and Distribution building will be very visible from the existing Stane Street entrance to the site. From this aspect the current buildings on the site are set back and only partially visible. The Council's Conservation and Design service identify that there will be a substantial visual change to the street scene looking in through the existing open access as a consequence of building over the major part of the existing Stane Street car park and that the new building will need to be designed with this in mind.

The built form in the area adjacent to the site entrance along this stretch of Stane Street is largely defined by two storey residential dwellings but it does have a varied character including areas of openness, the existing Rolls Royce development and the Everyman garage workshop building to the East of the Stane Street entrance. This results in the existing street scene not having a consistent character and therefore being less vulnerable to change. Notwithstanding that existing street character, the need will be for a high-quality designed building. As a part of addressing the visual impact the existing landscaped bund at the site entrance is to be increased in height with additional planting to mitigate new visual impacts and in terms of the illustrative material submitted with the application, the indications are that the building will be of a high-quality modern design with a rounded corner to the south-west and façade details picking up on the existing building.

8.30 Overall on design and landscape impact, officers acknowledge that the proposals will introduce a very significant change to the local environment. However, that degree of change is shown to be managed in a way which promises to mitigate the impact very effectively. The proposals represent a continuity of design from the existing facility and are for a high-quality architect designed building set in a landscaped setting, which is equally well thought through. Subject to the imposition of conditions attached to this recommendation and balancing those impacts against other benefits principally economic but also environmental, officers consider the issue of design and landscape impact is satisfactorily addressed in respect of the phase 1 proposals and can similarly be controlled through the reserved matters proposals for phase 2.

#### **iv Highway matters**

##### Access strategy and trip generation

8.31 Management of the traffic impacts arising from the proposed expansion plans has been a key focus for the applicant from the outset. The applicant acknowledges that queuing of staff vehicles on local roads near to the site entrances during existing shift changeovers and resulting in congestion is a key issue for local residents. The application has prompted a complete rethink as to how that situation can be improved in terms of an access and parking strategy which would offer most benefit for the existing residents whilst still delivering upon commercial requirements. The applicant's therefore commissioned a 'Site Access Optioneering Study' as part of the Transport Assessment (Appendix H of the TA) which looked at and tested 7 different access/egress scenarios for the proposed development. The 4 key objectives of that study were to develop a strategy which would result in:

- no increase in traffic through Maudlin
- no increase in HGV's through Maudlin
- a reduction in existing HGV movements on Stane Street through Westhampnett
- no queuing on Stane Street and Roman Road

In addition to the project objectives, each option was assessed against a set of parameters, including traffic, feasibility, air quality and ecology.

8.32 Of the 7 access/egress options considered, the current proposal – dual access with a one way servicing and deliveries route from the east and all servicing and deliveries leaving the site by the existing access to the west - was identified as the preferred strategy in that it did not fail against any of the assessment parameters. The access arrangements have

been subject to a safety audit and WSCC has raised no objection on highway safety grounds.

**8.32a** Following the 6 March Committee the applicant has revisited the Site Access Optioneering Study in order to provide some further clarity for the Committee as to why the proposed access option is the preferred one, both from a highway safety perspective and also in terms of its environmental impacts. A further 2 access options making 9 in total have been assessed against the 4 key objectives identified in paragraph 8.31 above. The 9 access options put forward by the applicant with the applicant's summary assessment for each are set out below:

**OPTION A: *Single Site Access via the proposed new access.***

Existing Stane Street access is closed off.

- all traffic (HGV's, service/delivery vehicles and shift workers) access and egress the site via the proposed new Stane Street access but can pass through Maudlin and Westhampnett.
- a signalised junction would be installed in the carriageway adjacent to the new Stane Street site access with a right turn lane into site.

Assessment – fails all 4 key objectives.

**OPTION B: *Single Site Access via the proposed new access.***

A variation of Option A suggested by the Parish Council. Existing Stane Street access is closed off.

- all traffic (HGV's, service/delivery vehicles and shift workers) comes to and goes from the site via the east with directional signage
- likely to be a signal-controlled junction with a right turning lane.

Assessment – fails fourth key objective in that would result in queuing on Stane Street which would need to be widened with loss of up to 28 trees and approximately 115m of hedgerow.

**OPTION C: *Single Site Access Roundabout on Roman Road***

Another variation of Option A. Existing Stane Street access is closed off. A roundabout access is proposed instead of the proposed new priority T junction access.

Assessment – fails first 3 of the 4 key objectives. Also, significant loss of trees and hedgerows through introduction of an urbanising feature. Requires third party land so deliverability is an issue.

**OPTION D: *Dual Access – Servicing via Stane Street***

Existing access on Stane Street retained alongside a proposed new site access.

- all HGV's and service/delivery vehicles access and egress site via existing Stane Street access.
- Shift workers arrive/depart via either of the two resultant accesses.

**Assessment – fails the key objective of reducing existing HGV movements on Stane Street through Westhampnett.**

**OPTION E: Dual Access – Servicing via Stane Street**

**Existing access on Stane Street retained alongside proposed new site access. Similar to Option D.**

- all HGV's and service/delivery vehicles access and egress site via proposed new Stane Street access.
- Shift workers arrive/depart via either of the two resultant accesses.

**Assessment – passes all 4 key objectives but option not pursued because to enable all servicing and delivery vehicles (HGVs) to arrive and depart via new access, works would be required to widen the road requiring third party land and significant loss of trees and hedgerows.**

**OPTION F: Dual Access – One-Way Servicing Westbound (THE PROPOSAL)**

**Existing access on Stane Street retained alongside proposed new site access.**

- all Shift workers access site via proposed new Stane Street access if approaching from the east and via existing Stane Street access if approaching from the west;
- all HGV's, servicing and deliveries access site from the east via the new access
- all HGV's, servicing and deliveries egress site to the west via existing access
- directional signage provided.

**Assessment – passes all 4 key objectives. The preferred and proposed option. There are some environmental issues in terms of tree/hedgerow loss associated with the formation of the new access and the associated visibility splays but this is a common denominator with all the options forming a new access to Stane Street.**

**OPTION G: Dual Access – One-Way Servicing Eastbound**

**Existing access on Stane Street retained with a new secondary access to east with simple major/minor priority junction with no turning lane.**

- all shift workers access site via new access if approaching from the east and from existing Stane Street access if approaching from the west
- all HGV's, servicing and deliveries access site from the west via existing Stane Street access
- all HGV's, servicing and deliveries egress site to the east via the proposed new Stane Street access.

**Assessment – passes all 4 key objectives but option not pursued because of large negative impact with regards to road safety. There would be a significant increase in large HGVs turning right at the priority-controlled junction with the A285 with the road sloping up to meet the junction. Given the high road speeds and traffic flows, this option increases the potential for a serious collision. Mitigation in the form of signalisation at this junction is not considered to be a viable option, given that it would have significant implications for cost of the scheme and would introduce delay on the A285. There are also environmental issues with tree and hedgerow loss.**

**OPTION H: Single Access for Staff and One-Way Servicing**

A variation of Option F. Existing access on Stane Street retained alongside proposed new site access.

- all shift workers access and depart the site via new Stane Street access from the east
- all HGV's, servicing and deliveries access the site from the east via the new Stane Street access
- all HGV's, servicing and deliveries egress site to the west via existing Stane Street access.

Assessment - fails fourth key objective in that would result in queuing on Stane Street. Also, the hedgerow and a number of trees between the site and Stane Street will be lost, including the two mature oak trees. Option H will also include habitat loss within the woodland parcel in the eastern corner of site, where hazel dormouse has been identified during the 2022 ecology surveys.

**OPTION I: One-Way Access via new access on Stane Street and Egress via the Drive**

Another option suggested by Parish Council.

Existing access on Stane Street closed to all traffic.

- all vehicles would access the site from the east via the proposed new Stane Street access
- all vehicles would egress the site via the Madgwick Lane/Claypit Lane/The Drive roundabout
- no vehicles would travel on Stane Street through Westhampnett.

Assessment – fails fourth key objective in terms of queuing on Stane Street but more significantly to the north of the facility a very high number of trees and significant habitat would be lost, including woodland and grassland areas therefore potentially effecting reptiles and nesting birds. Due to the proximity to the landscaping bund, this would need to be drastically reduced in height to avoid a collapse which would result in significant visual impact of the development site from the north. Also, a large junction arrangement would be introduced on Stane Street with a turning lane.

8.32b From the Committee debate on 6 March, the potential access options which members were seeking clarification on, as to why they had not been carried forward by the applicant as part of the proposals were Option B and Option G. The option of a roundabout (Option C) also came out in the discussion.

8.32c WSCC as the local highways authority (LHA) has been re-consulted on the updated Site Access Optioneering Study and its comments are attached at paragraph 6.8. The comments in respect of Option G conclude that the eastbound dual access left-in, left-out arrangement would require servicing vehicles to egress the site turning left onto Stane Street (from the new access) and then turn right at the A285/Stane Street junction to reach the A27 trunk road. The A285/Stane Street junction is subject to a 60mph speed limit and the routing arrangement would result in a significant increase of slow moving HGVs exiting via a slight slope onto the fast flowing A285 throughout the day. From a highway safety perspective the LHA do

not regard this as an ideal situation or a solution that could be recommended especially in light of the alternative option F being available.

**8.32d Option B would rely on a single site access to the east of Maudlin in the position currently proposed under proposed Option F. Under Option B, all traffic would enter and leave the application site via the east. This option would inevitably require significant changes to the proposed access to accommodate the increased vehicle flows. In principle, it would be very difficult for the Applicant to control those routes used by workers to access the site. The design of the access would have to be substantial to accommodate HGV movements and in turn it would be very difficult to then restrict or present drivers of smaller vehicles arriving or departing to the west. As such a prohibition on right turns is unlikely to be enforceable. Further road widening improvements would be required to Stane Street between the proposed access and the A285 junction to enable unrestricted two-way movements. The LHA point out that the concerns raised regarding HGV's turning right onto the A285 as per option G would also be raised. Overall, the LHA consider that a split access option as proposed is more favourable as this enables traffic to disperse rather than being concentrated through a single point.**

**8.32e The LHA also point out that the existing Stane Street access serving the site currently operates without any turning restrictions and has been in operation for a notable length of time. There are no recorded safety issues surrounding the operation of this access and the site operates without any existing formalised servicing routing agreement. By comparison, the proposed Option F - dual access with one-way servicing westbound - would formalise the routing for servicing so as to avoid Maudlin completely and reduce HGV movements through Westhampnett. No unacceptable safety or otherwise severe highway impacts have been identified as a consequence of the works or routing proposed. In combination with the additional dedicated shift worker car parking and changes to shift times which will alleviate congestion at shift changeover times, the LHA conclude on the access issue that the Option F proposals as submitted offer a betterment in terms of traffic management compared with the current position with negative environmental issues in terms of tree/hedgerow removal comparable with the other options which display other more significant dis-benefits.**

8.33 In terms of the predicted vehicular trip generation, phase 1 of the proposed development is forecast to generate 363 additional two-way vehicle trips a weekday for employees and servicing (i.e. all trips) across the period 05:00 to 00:00. The beginning and end of shift times at the RRMC facility are outside of the highway network peak periods. As a result it is anticipated that the proposed development will have a minimal impact on traffic during the AM and PM peak periods. In the network peak hours (07:00–08:00 and 16:00–17:00), the Transport Assessment Addendum indicates the phase 1 development is forecast to generate 12 and 13 additional vehicle trips (all trips) respectively. With the Travel Plan targets subsequently agreed with National Highways and secured via a planning condition, a net reduction in traffic is anticipated in the network peak hours from that previously anticipated for the Phase 1 development and an overall net reduction compared to trips generated by R-RMC today. In Phase 2, the proposed net increase is an additional 357 employee and servicing two-way vehicle trips a day. Overall, once the total development for which planning permission is sought is fully built out there would be 722 additional two-way trips on the network.



8.34 To manage the future traffic impacts of the proposed development, works are proposed to the A285/Stane Street junction adjacent to Temple House. Whilst the junction is forecast to operate with spare capacity in all future year scenarios, minor widening is proposed to improve access towards the site for large vehicles including articulated lorries. These physical mitigation measures will be secured through condition/S.278 agreement.

8.35 The new vehicular access off Stane Street will function in conjunction with the existing site entrance on Stane Street. The intention is to reduce queuing on Stane Street by introducing a second surface car park for 550 cars in Phase 1, followed by a decked car park on the same area as part of Phase 2. As per the results of the Access Optioneering Study, the proposal is for all servicing and delivery vehicles including HGV's to arrive on the local highway network from east of the site (via the A285) with potentially directional signage on the A27 and access the site via the new Stane Street junction. Vehicles will then either park in the HGV parking area or continue north along the eastern perimeter of the phase 1 building where several lay-bys are proposed. Once unloaded, these vehicles will then turn around in the vicinity of the waste compound and be directed within the site to egress the site via the existing Stane Street access and travel westbound on the local highway network towards the Chichester Bypass. This access strategy will not change for Phase 2 of the scheme.

#### Shift changes and car parking

8.36 A key part of the revised access strategy is the proposal to vary two of the existing three shift work patterns as follows:

##### Existing staff and shift pattern

2,483 staff (709 day shift – normal office hours)

06:00 to 14:30 (882 morning shift workers)

15:20 to 23:50 (882 evening shift workers)

23:00 to 06:00 (10 night shift workers overnight in paint shop)

##### At the end of Phase 1 proposed staff and shift pattern

3,000 staff (approx..) (up to 751 day shift – normal office hours)

06:00 to 14:30 (1,096 morning shift 1 workers)

14:30 to 00:00 (1,096 evening shift 2 workers)

23:00 to 06:00 (up to 50 night shift workers overnight in paint shop)

##### At the end of Phase 2 proposed staff and shift pattern

3,450 staff (approx..) (784 day shift workers – normal office hours)

06:00 to 14:30 (1,260 morning shift 1 workers)

14:30 to 00:00 (1,260 evening shift 2 workers)

23:00 to 06:00 (up to 140 workers overnight in paint shop)

In addition to the above there are also circa 150 students/apprentices that work at the site, with this figure expected to remain constant across Phase 1 and Phase 2 of the development proposals.

8.37 By varying the shift times the strategy seeks to relieve the current queuing issue by 'decoupling' early and late shift parking. At present, the morning shift (shift 1) finishes before the afternoon shift (shift 2) commences. With the completed development (phases 1 and 2) in place, the requirement will be for shifts to be back-to-back and therefore the

afternoon shift workers (shift 2) will arrive before the morning shift workers (shift 1) depart. This shift pattern will result in staggered entry and exit movements, which will further reduce the peak experienced on the local road network. Currently, afternoon shift 2 workers must wait for the early shift 1 workers to leave the Stane Street car park before they can find a space, resulting in congestion at the entry barriers and queueing through the village which a number of third party objectors have referred to. This situation would be resolved by the proposed new parking arrangement under phase 1 which effectively splits the car parking areas for shifts 1 and 2 to enable direct access to empty spaces without the need to wait for shift 1 to vacate. Morning shift 1 parking and the overnight shift would be in the existing Stane Street car park with the afternoon shift 2 parking in the proposed new surface car park. The Operational Management Plan which is the subject of a condition on the recommendation will identify entry and egress routes to ensure that the improvements are realised.

- 8.38 By splitting the allocated areas of car parking into 2 physically separate parts of the site for the phase 1 morning and afternoon shifts, the development effectively over provides in terms of parking capacity. WSCC point out that as a result, for large parts of the day either one of the car parks will be largely empty.
- 8.39 In phase 2, the existing Stane Street and phase 1 Stane Street surface car parks would be consolidated into a decked car park for 1700 cars and the applicant envisages that each floor would be allocated to a specific shift user with the entry/exit barriers, access locations and ramp designs developed to avoid the potential for any queuing within the site that could block back onto the highway. Precise operational details of the car park would be secured at reserved matters stage.
- 8.40 By re-setting the shift patterns as proposed and providing dedicated parking areas for the different shifts under phase 1, through the Operational Management Plan (OMP), it is anticipated that many of the congestion issues identified are capable of being addressed. WSCC as the local highway authority acknowledge that whilst as a result of this application there will be a significant increase in parking, these spaces are required for operational reasons. The way in which the car parking will be allocated and used is set out in the OMP which it is proposed to be secured through the planning condition attached to the recommendation.
- 8.41 In terms of the cumulative impact of additional travel movements generated by the development on the wider A27 SRN the applicant has engaged in detailed discussions with National Highways. The outcome of these discussions is that subject to the conditions attached to this recommendation which include the requirement for an Operational Management Plan and Travel Plan for both phases of development plus a further Transport Assessment before building work on Phase 2 commences, National Highways conclude that the traffic information provided demonstrates that the traffic impact on the A27 is within acceptable limits and that it's previous outstanding matters have now been fully resolved.
- 8.42 The Committee will note that the recommendation to permit Phase 2 of the development includes a longer time limit in which to submit the 'reserved matters'. Condition 2 requires the reserved matters to be submitted within 6 years of the date of the permission and to then commence the development within 2 years of the approval of the last of the reserved matters (condition 3), so potentially construction works starting in 2032, 8 years after any permission. The 'standard' time limit for an outline permission is 3 years in which to submit

the reserved matters with a further 2 in which to implement, so 5 years overall. In recognition of the complexity of the construction project it is recommended that a longer than standard timeframe is appropriate in which to bring about Phase 2 should R-RMC intend to progress that phase. For commercial reasons in terms of the forward planning of the business, R-RMC has asked for an even longer period – 8 years in which to submit the reserved matters and then a further 2 years to implement, but officers do not consider this to be appropriate. With R-RMC's requested timeframe, construction on Phase 2 would not potentially start until 10 years after permission i.e. in 2034. This is considered unreasonable in 2 respects. Firstly, the longer the time limit, would introduce a degree of uncertainty regarding the scope and cost of mitigation measures that might be required to the A27, given that over time it will be subject to increasing pressures from new development which may require more significant and costly interventions than are currently known or can be anticipated at this time. Whilst R-RMC has confirmed that it would meet the costs of potentially delivering improvements to all 4 junctions of the A27 between Boxgrove roundabout and Whyke roundabout in order to deliver Phase 2 under condition 8 on the recommendation, it cannot be concluded with confidence that R-RMC's position would be the same in 10 years time. A proportionate contribution to A27 works might then be prohibitive making Phase 2 an unviable or undeliverable proposition.

- 8.43 The second reason why an overly long extended time period for the Phase 2 component is not acceptable is that the longer the delay in bringing it forward, the longer the overall period of disruption to residential amenity from construction related activities from what is already a long build period - Phase 1 is scheduled to start in 2024 and finish in 2029. It is also relevant that the Phase 2 components – the decked car park and the additional building on the existing Stane Street car park are those parts of the development closest to the nearest residential properties at Maudlin and Westhampnett which by association more likely to experience disruption during this time.
- 8.44 In considering the commercial demands of the applicant, the long-term implications on the A27 from an overly extended delay for Phase 2, and protection of the residential amenity of local residents, the proposed extension of the standard time limit for the outline component of this hybrid application to 6 years plus 2 to implement is considered balanced, appropriate and reasonable.

#### Sustainable transport measures

- 8.45 The R-RMC site has an existing operational travel plan in place which promotes access to the site by non-car modes and which is being updated to suit the current proposals. Local Plan policy 8 encourages the use of sustainable travel modes as an alternative to the private car and policy 39, criterion 4 requires development to demonstrate that it: *'...encourages development that can be accessed by sustainable modes of transport in part, through the creation of links between new development and existing pedestrian, cycle and public transport networks.'* Looking forward in terms of the draft LPPS policy A21 (see paragraph 7.5), proposals on the safeguarded Rolls Royce land are required to demonstrate that: *'Increased traffic generation is minimised and mitigated by the use of sustainable transport measures'*.
- 8.46 When considering development proposals, the NPPF provides a clear policy approach on sustainable transport. Paragraph 114 states: *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*  
*a) appropriate opportunities to promote sustainable transport modes can be – or*

*have been – taken up, given the type of development and its location;*  
*b) safe and suitable access to the site can be achieved for all users;*  
*d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*

8.47 In terms of its existing access sustainability, the site can be reached on foot or cycle with existing walking and cycling routes in place along Stane Street and Old Arundel Road that lead both to Chichester to the west and to Tangmere to the east. The Stagecoach 55 bus service with bus stops adjacent to the existing site entrance at Stane Street and operating between Chichester city and Tangmere, as well as the specific Rolls Royce shuttle bus to Bognor Regis provide regular passenger transport opportunities to the site.

8.48 It is, however, recognised that given the disparate nature of the employees and their home locations and the early or late finishing shift patterns, travel by certain sustainable modes is not a practical option for some and may limit opportunities for various reasons. Nevertheless, to facilitate more sustainable use of the site, phases 1 and 2 combined propose 214 new cycle spaces with associated lockers and changing rooms for staff who cycle, and 85 motorcycle spaces. Measures and initiatives in the travel plan include personalised staff travel planning, promotion of the site-dedicated shuttle bus from Bognor Regis, travel information boards within the reception areas displaying a map of key bus routes, stops, journey durations and frequency of services to increase awareness of convenient public transport options, promotion of car sharing, the Cycle2Work scheme and restrictions on site parking permits for certain postcodes. For those that have no other practical option than the private car, the planned expansion will see 20% of all car parking spaces provided with electric vehicle charging points with these charging points distributed equally across all on-site car parks.

8.49 In terms of the how the application addresses the issue of 'active travel' the applicant's Transport Assessment Addendum identifies a number of measures/improvements which are relevant to the development and can be secured through the S.106 agreement that will accompany any permission to permit the development. These measures are:

- Provision of hardstanding waiting area and new footway to tie in with existing, at existing eastbound bus stop on Stane Street, west of Stane Street/Old Arundel Road mini-roundabout.
- Provision of real-time information flag, at existing westbound bus stop, west of Stane Street/Old Arundel Road mini-roundabout.
- New westbound bus stop on Stane Street, 120 metres west of proposed site access, to be provided in accordance with details to be agreed providing the bus operator confirms that this will be used.
- To implement Travel Plan dated December 2023, prior to first use of phase 1 commencing.

Active Travel England whilst initially objecting to the application now raises no objection but has welcomed the applicant's proposal to make a proportionate contribution to the development of Route N in the Chichester City Local Cycling & Walking Infrastructure Plan (LCWIP) (2020) a mixed traffic-free and on-road route along the southern boundary of the site. ~~At the time of writing this matter was subject to further discussion with WSCG as local highways authority and the Committee will be updated.~~ **Agreement has now been reached in principle with the applicant to secure a proportionate contribution to the LCWIP via the S.106 agreement details of which are set out at paragraph 8.83.**

8.50 In summary on highway matters it is considered that whilst there would be a considerable increase in traffic movements associated with the proposed development as a consequence of increasing total staff numbers by 1050, that impact has been carefully considered by R-RMC. Operationally, by providing more parking spaces on site than are required in order facilitate a back-to-back shift pattern change, the existing issues of congestion on Stane Street which impact negatively on residents amenity are addressed. Combined with an enhanced on-going Travel Plan to promote sustainable transport options other than the private car and by ensuring that traffic to and from the site is outside of the sensitive am and pm peak hour period both on the local and strategic road network, the development to an extent consumes its own smoke. The view of both WSCC as the local highway authority and National Highways is that subject to conditions imposed to mitigate for the traffic effects, the development is compliant with NPPF paragraph 115 in that it would not have an unacceptable impact on highway safety and would not result in a severe residual cumulative impact. Officers agree that there are no demonstrable grounds to prevent or refuse the development on highway grounds.

**v. Footpath diversion**

- 8.51 A potential bar to the expansion plans of R-RMC is the fact that existing public footpath no. 417 passes in a north-south alignment to the east of the existing manufacturing building on land where it is proposed to erect the phase 1 building. Unusually given its rural setting the existing up to 1 metre wide footpath is hard surfaced with a tarmac wearing course which may be an indication of the frequency with which it is used. Third party objectors to the application point to the fact that the footpath is valued because it provides a direct connection between Westerton to the north and Stane Street to the south. To progress the planning application would require 406m of the existing footpath to be permanently stopped up. The footpath would be diverted further to the east around the edge of the field to enable construction of the phase 1 building and the accompanying landscaped bund. The realignment of the path would result in a more circuitous route adding approximately 340 m to the journey on a 2 m wide tarmac path.
- 8.52 Procedurally R-RMC has made an application direct to the Secretary of State (Department of Transport) to discontinue 406 m of the existing footpath 417 and provide the 740 m diversion. The publicity period for representations to that application ran from 1 – 29 February 2024. Following consideration of any representations received the Secretary of State (SoS) may authorise the diversion under section 247 of the Town and Country Planning Act 1990. At the time of writing the timing of the SoS's anticipated decision on the application is not known. If the diversion 'Order' is granted the SoS will specify a date when it comes into force. The stopping up of the existing path cannot take place until the diversion route has been provided to the reasonable satisfaction of WSCC as the local rights of way authority.
- 8.53 Whilst it is acknowledged that the re-aligned footpath provides a longer route than existing, which some third-party objections find unacceptable, a footpath connection is nevertheless still being maintained. The new route with a wider, even graded surface would be suitable to hikers, dog walkers and runners. Evidence on the ground indicates that a route around the field edge is in fact already in use by local people looking to enjoy a longer walk or run. The landscape proposals to be delivered under phase 1 of the development would result in a changed route and experience which some might regard as

an inconvenience, but others may welcome from a recreational/environmental perspective. The re-routed footpath will meander through an area of significant new planting, green infrastructure, landscaping and ponds delivered as part of the SuDS drainage proposals.

8.54 Draft LPPS policy A21 criterion 6 requires development to demonstrate that it maintains access into the National Park through diversion and protection of the existing footpath, which is what the proposals would deliver. It is considered that the re-routed section of FP417 would offer a similar type of user experience to the existing route while delivering improved width and surface quality which allows for pedestrians to walk side by side and greater potential for wheelchair use. Again, in looking at the development overall, it is considered that the inconvenience factor of re-routing part of FP417 - which the applicant estimates would add an additional 3 to 5 minutes to the current walking time - is not substantial and is significantly outweighed by the benefits the development would deliver when carrying out the planning balance.

#### **vi. Construction management**

8.55 Delivery of the proposed development will clearly be a complex major construction project. Due to the complexity of the process of extending and re-aligning the site and the operation to its new footprint, R-RMC envisage a five year construction process for phase 1 and a five year construction period for phase 2. For the detailed phase 1 aspect the applicant anticipates that subject to planning approval and discharge of relevant conditions, the intension would be to commence development in 2024 starting with site preparation and earthworks including the landscaping and most of the planting.

8.56 The submitted Earthworks Strategy envisages a significant cut and fill operation. The cut material includes removal of the existing earth mound to the east of the existing manufacturing building to establish the new phase 1 building footprint and hard standing surfaces. Material from the existing bund will be reused in the proposed landscaping and construction of the new earth bunds. The objective is to minimise surplus material to be removed from the site. Any future excavations needed for the Phase 2 development would need to be removed from site to avoid impact on Phase 1 landscaping and ecology.

8.57 During the earthworks phase which would be preceded by the stopping up and diversion of FP417, it is anticipated for health and safety reasons there would need to be a temporary 6-8 month diversion of the route of the new footpath onto bridleway 3583. Following the earthworks and landscaping, construction of the new phase 1 buildings would commence, then refurbishment, selected demolition of existing buildings and removal of temporary structures. Parts of phase 1 are anticipated to be first operational in 2027 but construction would continue through to 2029 for internal reconfiguration and reorganisation. The timeline for implementing phase 2 is less certain and will depend on market conditions and business demand. The Environmental Statement envisages the earliest start date for the decked car park to be 2027 with a 3-year construction timeframe.

8.58 The Construction compound for the development will be located over the site of the proposed phase 1 surface car park. This will provide storage and welfare facilities and it is anticipated it will also provide parking for the 300 construction workers on site daily. The applicant has assumed that 65% of construction workers will travel by car based on local travel characteristics and the assumptions presented in the Chichester Transport Study (2023). This results in a 'worst case' of 195 additional vehicle movements per day.

Construction traffic including all HGV's will enter the site via the new access to be created off Stane Street and leave the site via the existing site access on Stane Street. The logistics of the construction phasing strategy are set out in detail in the Environmental Statement ('Framework Construction Traffic Management Plan', [FCTMP], Technical Appendix 7.3). In terms of vehicle movements, the FCTMP anticipates that the initial phase - earthworks - is planned to last for three months which in terms of daily movements, accessing and egressing the site equals 234 total construction vehicle movements (including workers) with 31 of those movements being by HGV's. The peak period of daily movements is anticipated to be in month 11 of the phase 1 build when activities relating to Substructure, Envelope and Internal fit out all coincide. During this period the figures are 241 total daily construction vehicle movements (including workers) with 46 of those movements being by HGV's.

8.59 In terms of minimising traffic impacts on the wider network, it is important that construction site traffic does not coincide with shift changeover times at the existing factory. In order to minimise impact on the surrounding road network, and operational HGV deliveries, movements to and from the construction site are proposed to be coordinated and scheduled outside of peak operational hours, where possible. Construction works on site will be restricted to 07:30-18:00hrs, Monday – Friday and 08:00-13:00 on Saturdays with no work on Sundays or Bank Holidays. There will be no planned deliveries or construction worker arrivals/departures between the shift changeover times of 14:30-15:30, although some unforeseen circumstances may lead to deliveries coinciding with turnover. To avoid the shift turnover times, deliveries will be scheduled to arrive and depart between the hours of 09:15 and 14:00. Any construction movements during the shift changeover period (14:30 – 15:30) will be strictly prohibited.

8.60 A further factor potentially impacting on the construction of the development is the proximity of Goodwood Aerodrome some 285 m to the northwest of the site. The Committee will note the consultation comments received at paragraph 6.19. The height of construction cranes and the potential for bird disturbance and aircraft strike from the earth moving operations are both raised as a potential issue for fixed wing aircraft approaching the airfield. It is considered that this matter can be satisfactorily addressed by condition attached to the recommendation.

8.61 In undertaking a major construction project such as this, it is inevitable that there is going to be a level of disturbance compared with the existing baseline position. Working with the Council's Environmental Protection service and colleagues at WSCC highways it is considered that the degree of impact in terms of construction lighting, noise, air quality, vehicle movements and hours of work can be successfully managed within acceptable parameters in order to protect residential amenity and other interests through the imposition of a detailed construction management condition. **Following the 6 March Committee, additional wording has been added to conditions 6 and 7 on the recommendation specifically requiring details of measures to prevent construction traffic travelling through Westhampnett and Maudlin.**

#### **ix. Ecology and BNG**

8.62 The existing 10 ha site provides a mix of different ecological conditions including open grassland, an agricultural field, wooded areas and a planted artificial soil mound directly to the east of the existing RRM facility. As a result of thorough ecological surveys the site is

recorded to support a range of habitats of value at the local and site level. Local value habitats include other woodland, broadleaved woodland, hedgerows and mature trees. The identified species count includes bats, breeding birds, reptiles including grass snake, slow worm and common lizard and a single hazel dormouse nest in the SE corner of the site.

- 8.63 In terms of the species of bats recorded on site the surveys did identify the occasional presence of the rare barbastelle bat for which the Singleton and Cocking Tunnels Special Area of Conservation (SAC) is so designated. However, of 187 bat detections with the transect surveys on the site there were only 4 readings of barbastelles. Only one of the two static survey loggers recorded barbastelles – there were only 9 recordings throughout the period May to October 2022 (5 nights each month). The conclusions of the survey are that the readings are from 1 individual passing quickly through the site to access other foraging areas. The evidence suggests that the site is not used routinely as a foraging area for this species or indeed as a prime commuting route. The presence of the proposed north-south Strategic Wildlife Corridor in the Regulation 19 LPPS to the west of the R-RMC site together with favourable habitats within the wider landscape such as on the Goodwood estate suggest by comparison that the application site provides a lesser extent of suitable commuting or foraging habitat. The applicant's ecologist concludes that the site is therefore not of functional importance to the barbastelle bat population for which the SAC is so designated.
- 8.64 The Council's Environment Officer has considered the bat information submitted with the application and agrees with the conclusion that there will be no likely significant effect on the SAC bat qualifying species. It is observed that the proposals retain sheltered edge boundary features already used by the local bat assemblage which will maintain habitat connectivity at the local and landscape scale. Furthermore, it noted that the application proposes significant landscaping in the form of trees, hedgerows, mixed scrub and water bodies which over time will provide a significant enhancement to the ecology and biodiversity of the eastern part of the 10 ha site. The green roof of the development will also provide a future foraging habitat.
- 8.65 In carrying out an Appropriate Assessment (AA) under the Habitat Regulations it is concluded that no likely significant effect is considered to arise from the development proposals irrespective of any proposed mitigation, and whilst mitigation is not required to avoid negative impacts on the SAC, conditions are attached to the recommendation relating to lighting details, habitat protection and enhancements which will benefit the overall bat assemblage using the site. Natural England has been consulted on the AA and at the time of writing its consultation response is still awaited. The Committee will be updated.
- 8.66 Prior to and during the operational stage of the development the mitigation measures to protect the habitats of other survey species found on the site will be secured in accordance with the submitted strategies. These have been assessed and agreed by the Council's Environment Officer and conditions are attached to the recommendation in that regard.
- 8.67 Following the Environment Act 2021 a requirement for major new developments to demonstrate a minimum 10% net gain in bio-diversity (BNG) came into force from 12 February 2024 onwards. The submission and registration of the current application pre-dates the BNG requirement but R-RMC has nevertheless commissioned an assessment



based on the required methodology. The development has sought to retain, enhance and create additional habitats within the development site. After implementation of these measures, it is possible to achieve a net gain of 10% for both phases of the proposed development. The applicant's current calculated change for Phase 1 is 12.25% net gain for area-based habitats, 105.91% net gain for hedgerows and no net change for watercourses. The current calculated change with Phase 2 also implemented is 23.45% net gain for area-based habitats, 89.13% net gain for hedgerows and no net change for watercourses.

8.68 The applicant's proposals will result in a fundamental change to the landscape and ecology of the predominantly arable 10 ha field adjoining the existing facility. Through the protection of existing habitats and tree planting at the field margins, the introduction of woodland, hedgerow and scrub planting on the new earth bunds, meadow grassland areas and the creation of marginal habitat around the SuDS attenuation ponds the proposals both safeguard and enhance the bio-diversity of the site and in this context are supported by policy 49 and 52 of the Local Plan. **To compensate for the loss of the mature oak tree which lies within the tree and hedgeline east of the proposed new vehicular access to Stane Street and which would need to be removed because it falls within the required visibility splay, condition 19 on the recommendation has been amended to require the planting of a specimen, extra heavy standard (approx.16cm girth) oak tree on the site which will be positioned so as to be visible from the diverted publicly footpath.**

#### viii. Other matters

##### Drainage

8.69 *Surface Water* – The existing surface water drainage strategy arrangement for the development relies on infiltration as the primary method for stormwater disposal. It relies on discharge of surface water to the main pond to the west of the existing manufacturing facility which when full is then pumped to an east and a west swale in order to manage overflows. Further rainfall is managed through discharge into the field to the north from the east swale via a separate infiltration bed. The existing surface water network remains largely unchanged with the main alteration being that the existing on site infiltration swale on the eastern side of the main building is proposed to be largely culverted below the proposed building/hardstanding. The east swale infiltration soakaway will be re-provided via the southern swale with a like for like volume requirement.

8.70 The proposed surface water drainage strategy is centred around the principle of SuDS. The following components are integral to the design. Attenuation will be provided through a combination of permeable paving to the phase 1 surface car park, swales, possible raingardens, green roof systems including rain harvesting for grey water re-use and a main attenuation basin located adjacent to the east site boundary. The main attenuation basin will be lined to maintain its storage capacity in light of higher groundwater levels in that part of the site and is designed to discharge via a flow chamber to the existing field ditch on the north-east boundary at no more than existing greenfield rates.

8.71 The Lead Local Flood Authority at WSCC following the receipt of further information and clarification in the FRA, Flood Risk Addendum and Drainage Strategy has confirmed that it has no objection to the surface water drainage strategy subject to the imposition of

conditions which are as detailed in the recommendation below. The details are considered to be in accordance with the NPPF (section 14) and Local Plan policy 42.

8.72 *Foul Water* – The foul drainage proposals are via a separate sewer system running north-south to the east of the phase 1 building and connecting into the existing off site Southern Water public sewer via a new manhole to be located to the southeast of the site adjacent to the proposed new vehicular access to Stane Street. Southern Water's initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network and that network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water. Southern Water endeavour to provide reinforcement if it is required within 24 months of planning consent being granted. Given these comments officers consider that it is necessary to impose a precautionary condition on the recommendation to ensure that the required foul drainage infrastructure is in place when it is required to service the proposed use.

8.73 *Nitrates* – The foul flows from the development will be directed to the Easthampnett Wastewater Treatment Works (WwTW) at Tangmere. The WwTW does not discharge to the protected waters of the Solent Maritime SAC or Chichester Harbour SPA where there are currently issues with regard to eutrophication caused by the deposition of nitrate nutrients. The site is also outside of the Chichester Fluvial Catchment Area. Notwithstanding that the development has an existing round-the-clock operation there is no requirement for a commercial development to offset its nitrates impact or to demonstrate nitrate neutrality.

#### Residential amenity

8.74 The impacts of the development on existing residential properties at Maudlin and Westhampnett are potentially significant without effective management. The impacts can be divided into those associated with the construction phase and those impacts operationally thereafter.

8.75 In terms of the *construction phase*, the key issues for residents are considered to be in terms of the number, nature, access and egress arrangements for construction vehicles necessary to deliver the development, the associated noise from demolition and construction activities, dust and fumes (air quality), hours of work and construction lighting. Within the bounds of delivering a major project like this it is expected there will be some negative impacts. However, following consultation with the Council's Environment Protection service and WSCC as the local highways authority, officers are satisfied that through the Construction Environmental Management Plan condition added to the recommendation, all of these issues can be successfully mitigated to an acceptable degree.

8.76 In terms of the *operational phase*, the key existing issue for local residents highlighted in this report relates to the traffic congestion issues experienced at the morning/afternoon shift changeover. This issue has featured front and large in terms of R-RMC's planning for the new development. The proposed altered shift times remove the congestion element by decoupling the morning from the afternoon shift and providing dedicated parking areas for both shifts as explained earlier in this report. An updated Operational Management Plan (OMP) conditioned as part of this recommendation would deliver car park management measures to ensure the dedicated parking provision and associated directional signage works. The OMP would also include practicable noise control measures to mitigate noise

impacts emanating from the car park at neighbouring receptors e.g., noise from car doors banging, over-revving of cars and speeding within the site. It will also include lighting controls, staff training, and a complaints and discipline procedure. Conditions relating to environmental protection are also imposed regarding the operation of plant related to the commercial activities on the site to control noise and odour – the latter in respect of emissions from the new flue to the Exterior Surfaces Centre. The extent and form of external lighting is also controlled by a lighting condition related to the appropriate thresholds of the Institute of Lighting Professionals whilst also acknowledging the South Downs National Park as a designated International Dark Skies Reserve.

#### Sustainability of construction

- 8.77 The efficiency of the building in environmental terms has been a strong focus for R-RMC in bringing forward the development. R-RMC is committed to reducing its carbon dioxide emissions by 40% by 2030. As a move towards this goal, and consistent Local Plan policy 40, the proposed development will be designed to achieve a minimum 20% reduction in carbon emissions compared to the Building Regulations 2013 baseline target. The following elements are proposed in order to achieve that aim: solar PV panels on the flat roofs of the new buildings as part of the green roof; air source heat pumps to provide heating and cooling to the new building; air handling units serving the Paintshop, assembly, analysis, leather-shop and welfare areas; air-cooled screw chillers to provide chilled water to the Paintshop process systems; and a compressed air plant room for the Paintshop.
- 8.78 The submitted Sustainable Design and Construction Statement details the measures above that the development will include to deliver carbon emissions reductions. These also include an enhanced insulated thermal envelope for the building, optimized glazing to provide natural daylight and reduce reliance on artificial lighting, mechanical ventilation with heat recovery. In terms of the fittings within welfare areas these will ensure that water consumption does not exceed a maximum consumption of 110 litres per person per day. A total of 20% of parking spaces (110 spaces for phase 1) will be provided with electric vehicle charging. The Council's Environment Officer has confirmed that the proposed measures as a package are acceptable in response to the requirements of policy 40 and a compliance condition is attached to the recommendation in that regard.

#### Archaeology and heritage issues

- 8.79 The application site is currently subject to a second stage open area archaeological excavation. Whilst the works have produced evidence of neolithic and Anglo Saxon settlement there is nothing to suggest that the archaeological interest need to be preserved in situ. The Council's archaeologist has confirmed that an acceptable approach is to follow the methodology set out in the submitted Written Scheme of Investigation (WSI) and this should be secured via a condition attached to the recommendation requiring that the archaeological investigation, recording, analysis and dissemination of the results as detailed in the WSI.
- 8.80 In terms of heritage issues the site is not in or adjacent to any designated conservation area but is in proximity to a small number of Grade II listed buildings - The Old Post House, The former Coach and Horses public house and Maudlin Cottage close to the junction of Stane Street and Old Arundel Road and the buildings at Westerton Farm to the north-west. Issues relating to the impact on the setting of these buildings together with the

wider setting of Goodwood House and its listed parkland are explored more fully by the Council's Principal Conservation and Design Officer at paragraph 6.13 above (under sub-heading 'Heritage'). The Committee will note that Historic England deferred to the Council to provide specialist conservation advice in this regard. The conclusion reached in all instances by the Council's officer is that there are not likely to be any harmful cumulative impacts on the settings of nearby listed buildings. This is primarily due to the intervening distance from the proposals, the extensive and high-quality mitigation proposed and the baseline impacts of the current facility and other nearby modern development. The application proposals are not therefore considered to offend the objectives of Local Plan policy 47 and the 'less than substantial harm' test in the NPPF is not even engaged.

#### Loss of agricultural land

8.81 The 10ha site to the east of the existing facility comprises approximately 7.9ha of arable farmland. In terms of the agricultural land classification this arable land is mostly grade 3a with a smaller proportion of grade 2 at the northern end (based on a ALC 1993 survey). In terms of the NPPF (paragraph 180 b) the development proposals would result in the loss of 7.9ha of best and most versatile (BMV) land to a non-agricultural use. However, this is a relatively small parcel of well enclosed BMV land the loss of which the applicant identifies will have a negligible impact on the total area of farmed land within the Goodwood Estate. For context in terms of its wider significance, the 6.9ha is well below the threshold set by Natural England of the loss of 20ha or more of BMV agricultural land where it is required to be consulted. Therefore, whilst the loss of some BMV land does count against the proposals it is considered that the issue carries limited weight in the overall planning balance in terms of the significant weight to be attached to the economic benefits the application would deliver in terms of new jobs and investment in the economy together with the net increase in biodiversity on the land as a result of the extensive new planting proposals.

#### Significant Conditions

8.82 The key conditions that are recommended to make the development acceptable stem from the main issues identified in the report above and reflect the fact that this is a hybrid application with both full and outline components. Recommended conditions include details of the construction management plan, specifying shift patterns, an operational management plan delivering car park management requirements for both phase 1 and 2 of the development, travel plan, phase 2 reserved matters to comply with the details specified on the Parameters Plan, landscape planting details, ecological enhancements, habitat protection, lighting controls and surface water drainage.

#### Section 106 Agreement

8.83 Whilst the development is noted as being liable for CIL, the Charging Schedule (January 2016) sets out that the charge for commercial development (Standard Charge) is £0 / m<sup>2</sup>. Accordingly, the CIL charge for the proposed development is £0. At the time of preparing this report work was progressing on preparing a Section 106 agreement to secure those infrastructure benefits identified as necessary to make the development acceptable in planning terms. The applicant has confirmed they will enter into an agreement and the anticipated final heads of terms are:

- Payment of a financial contribution **£183,540** towards providing sustainable transport 'Route N' as identified in the Chichester City Local Cycling & Walking Infrastructure Plan (LCWIP) (2020). **This comprises an initial contribution of £153,090 before Phase 1 of the development is first brought into use and a further contribution of £30,450 before Phase 2 is first brought into use.**
- Submit to WSCC for approval a scheme of highway works comprising:
  - Existing eastbound bus stop on Stane Street, west of Stane Street/Old Arundel Road mini-roundabout – Provision of hardstanding waiting area and new footway to tie in with existing.
  - Existing westbound bus stop, west of Stane Street/Old Arundel Road mini-roundabout – Provision of real-time information flag and pole
  - Provide new westbound bus stop on Stane Street, 120 metres west of proposed site access in accordance with details to be agreed but subject to the bus operator confirming that this will be used.
  - Works to deliver A285/Stane Street junction widening for HGV's
- Before Phase 1 is first brought into use to fund and apply for the reduction of the existing 60mph speed limit to 40mph the extents of which are as shown on drawing titled 'Proposed Site Access with Roman Road General Arrangement' and reference ID BAU-VOR-5000-0042-XXXXX-BAUP-10120101 revision C06. In the event, the 40mph is approved, the Applicant shall thereafter fund and implement a scheme of signing and lining for the 40mph speed limit.
- Before Phase 1 is first brought into use, implement the Travel Plan, dated December 2023 and make payment of Travel Plan auditing fee - £3,500.
- Off Site Reptile Relocation – to be delivered on land within the Goodwood Estate before commencement of the development.
- Section 106 monitoring fee - £1,100.

### Conclusion and Planning Balance

8.84 This major planning application for a significant extension of the R-RMC existing manufacturing facility at Westhampnett is contrary in part to countryside policy 45 of the adopted Local Plan in that it is clearly not 'small scale' but it also finds support in the policy in terms of the requirement for 'a countryside location'. The development is an expansion of the existing facility already operating successfully in the countryside. To expand the business on a completely different site is neither realistic or pragmatic from a commercial, economic or environmental perspective and developing elsewhere would potentially prejudice the long-term viability of the existing operation. The NPPF and Local Plan policies 3 and 26 provide clear support for helping existing businesses to modernise, develop and grow in the local economy and R-RMC are one of the largest direct and indirect employers in the District with a reputation nationally and internationally. The emerging Local Plan acknowledges that importance by proposing to safeguard future land for the company under draft policy A21.

- 8.85 Of course the support being given to this application is not support given irrespective of the impacts. It is recognised that there will be some very significant impacts in terms of landscape change and activity in and around the site from the expanded operation once fully up and running as well as the implications of the construction phase. Addressing environmental concerns is however deeply embedded in the proposals. **Following the 6 March Committee the vehicular access options have been revisited by the applicant and re-assessed by officers and by the local highways authority. From the perspective of environmental impact, residential amenity as well as reducing congestion and meeting highway safety requirements it is concluded that the submitted access proposals – Option F - are the most appropriate.** Assessment of the proposals has concluded that the harm to the environment will be limited and successfully mitigated by the design of the building which will be complementary to the existing development and subsumed into the landscape. The existing award-winning R-RMC development became quickly absorbed into its rural surroundings and 20 years on sits comfortably in the landscape. With the same architects and attention to detail on the current application there is no reason to suggest that these proposals will not deliver a similarly successful outcome.
- 8.86 It is clear that the applicant has listened to local concern which is chiefly in respect of the disruption to residential amenity caused by the shift changeovers. By amending the shift times to make the afternoon shift start time and the morning shift finish times the same, the existing staff arrival and departure times are decoupled and with separate shift parking areas being provided officers are confident that the existing congestion issues will dissipate. With the conditions imposed on the recommendation it is considered that the environmental issues can be successfully addressed and that the applicant will be a good neighbour.
- 8.87 In terms of the final planning balance it is considered that whilst there will be an inevitable change to the local environment which some might perceive as harmful it has been satisfactorily demonstrated that that degree of change/harm can be successfully managed and is not so material as to outweigh the considerable wide-ranging benefits to the economy which the proposals will bring.

#### Human Rights

- 8.88 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 S106 THEN PERMIT** subject to the following conditions and informatives:-

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

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

2) (i) Approval of the details of the layout of the site, scale of the building(s), appearance of the building(s) or place and the landscaping of the site for Phase 2 of the development as identified on 'Phase 2 - Development Parameters Plan' drawing no. BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP 01620004 REV C01 and hereinafter called "reserved matters" shall be obtained from the Local Planning Authority before any development in respect of Phase 2 is commenced.

Plans and particulars of the reserved matters referred to in paragraph (i) above, relating to the layout of the site, scale of the building(s), appearance of the building(s) or place and the landscaping of the site 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 for Phase 2 shall be made to the Local Planning Authority before the expiration of 6 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.

3) The Phase 2 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.

4) The development hereby permitted shall be carried out in accordance with the plans listed below:

Site wide plans:

BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620051 C03; BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620052 C02;

Phase 1 (Detailed Plans)

BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620001 C02; BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620003 C02; BAU\_EIN\_5000\_ZZZZ\_G0000\_BAUP\_01630001 C02; BAU\_EIN\_5000\_ZZZZ\_G0010\_BAUP\_01630002 C02; BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01630004 C02; BAU\_EIN\_5000\_ZZZZ\_ANSIC\_BAUP\_01680004 C02; BAU\_EIN\_5000\_ZZZZ\_ANSIC\_BAUP\_01660001 C02; BAU\_EIN\_5000\_ZZZZ\_ANSIC\_BAUP\_01660002 C02; BAU\_EIN\_5000\_ZZZZ\_ANSIC\_BAUP\_01660003 C02; BAU\_EIN\_5000\_ZZZZ\_SCHNT\_BAUP\_01670001 C02; BAU\_EIN\_5000\_ZZZZ\_SCHNT\_BAUP\_01670002 C02; BAU-VOR-5010-0042-LAGEP-BAUP-30102000 C02; BAU-VOR-5010-0042-LAGEP-BAUP-30102001 C02; BAU-VOR-5010-0042-LAGEP-BAUP-30102030 C02; BAU-VOR-5010-0042-SCHNT-BAUP-30102041 C02; BAU-VOR-5010-0042-SCHNT-BAUP-30102042 C02; BAU-VOR-5010-0042-SCHNT-BAUP-30102043 C02; BAU-VOR-5010-0042-SCHNT-BAUP-30102044 C02; BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620002 C02; Existing and Proposed Chimney Flue to Exterior Finishes Centre (no drawing number);

Phase 2 (Outline) Plans

BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620004 C02; BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620005 C03; BAU-VOR-5010-0042-LAGEP-BAUP-30202000 C02;

Cut and Fill

BAU-VOR-5000-0041-LAGEP-BAUP-04124100 C02; BAU-VOR-5000-0041-LAGEP-BAUP-04274101 C02; BAU-VOR-5000-0041-LAGEP-BAUP-04274102 C02;

Access Drawings

BAU-VOR-5000-0042-XXXXX-BAUP-10120101 C06

Drainage Plans

BAU\_ENT\_5000\_ZZZZ\_LAGEP\_BAUP\_04122001 P03.01;  
BAU\_ENT\_5000\_ZZZZ\_LAGEP\_BAUP\_04122101 P01.01; BAU-VOR-5000-0041-DETAI-BAUP-00513501 C01; BAU-VOR-5000-0041-DETAI-BAUP-00513502 C01; BAU-VOR-5000-0041-DETAI-BAUP-00513503 C01; BAU-VOR-5000-0041-DETAI-BAUP-00513504 C01; BAU-VOR-5000-0041-DETAI-BAUP-00513505 C01; BAU-VOR-5000-0041-LAGEP-BAUP-00512510 C01;

Other Plans

BAU-VOR-5010-0042-SCHNT-BAUP-30102050 C01; BAU-VOR-5010-0042-SCHNT-BAUP-30102051 C01; BAU-VOR-5010-0042-SCHNT-BAUP-30102052 C01;  
BAU\_ENT\_5000\_ZZZZ\_LAGEP\_BAUP\_04122105 P01;  
BAU\_ENT\_5000\_ZZZZ\_LAGEP\_BAUP\_04122104 P02

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

5) The development of Phase 2 hereby permitted shall conform with the 'Phase 2 - Development Parameters Plan' (drawing no. BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620004) save for minor variations where such variations do not deviate from this permission nor have any additional or materially different likely significant environmental effects to those assessed in the Environmental Statement accompanying the application.

Reason: To accord with the terms of the application and provide certainty regarding the outline component of the application.

6) No development shall commence, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) comprising a schedule of works and accompanying plans for that Phase including those measures set out in the submitted Outline CEMP by Ramboll (ref: RUK2022N00149-RAM-RP-00069, dated 11/12/2023) 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 demolition and construction periods for each Phase unless any alternative is formally agreed in writing by the Local Planning Authority. Details to be covered include time periods for demolition/construction, measures to control emissions of noise/vibration, public engagement, and external lighting used during demolition/construction. The CEMP shall include and provide details of the following:



- (a) the phased programme of demolition and construction works;
- (b) proposed hours of work - demolition and construction,
- (c) a Construction Traffic Management Plan **and Access strategy which shall set out measures to prevent construction traffic travelling through Westhampnett and Maudlin except in exceptional circumstances (those circumstances to be first defined and agreed in writing by the Local planning Authority) and shall** include the anticipated number, frequency and types of vehicles used during construction; the location and specification for vehicular access during construction; the provision made for the parking of vehicles by contractors, site operatives and visitors and the type, details of operation and location of other works required to mitigate the impact of construction upon the public highway (including a Signage Strategy and the provision of temporary Traffic Regulation Orders),
- (d) the loading and unloading of plant, materials and waste,
- (e) the storage of plant and materials used in construction of the development,
- (f) the erection and maintenance of security hoarding,
- (g) the location of any site huts/cabins/offices,
- (h) the provision of road sweepers and wheel washing facilities,
- (i) details of public engagement both prior to and during construction works, including a named person to be appointed by the applicant to deal with complaints who shall be available on site and contact details made known to all relevant parties,
- (j) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles and restriction of vehicle speeds on haul roads. A Dust Management Plan should form part of the CEMP which includes routine dust monitoring at the site boundary with actions to be taken when conducting dust generating activities if weather conditions are adverse,
- (k) measures to control the emission of noise/vibration during construction,
- (l) 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,
- (m) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas,
- (n) measures to reduce air pollution during construction including turning off vehicle engines when not in use and plant servicing,
- (o) waste management including prohibiting burning,
- (p) provision of temporary domestic waste and recycling bin collection point(s) during construction,
- (q) the height, location and radius of swing of any cranes or high reaching construction equipment, and
- (r) a bird disturbance mitigation strategy.

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.

7) No works in respect of Phase 1 shall commence on the site hereby permitted (including site clearance or preparation) until the details of a Construction Traffic Management Plan (CTMP) have been submitted to and been approved in writing by the Local Planning Authority, in consultation with West Sussex County Council and National Highways. The CTMP shall include details (text, maps, and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include but shall not be limited to:

- site hours of operation;
  - numbers, frequency, routing and type of vehicles visiting the site (including measures to limit delivery journeys on the SRN during highway peak hours such as the use of vehicle booking systems etc);
  - **measures to prevent construction traffic travelling through Westhampnett and Maudlin except in exceptional circumstances (those circumstances to be first defined and agreed in writing by the Local planning Authority);**
  - measures to ensure that HGV loads are adequately secured;
  - travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries;
  - sheeting of loose loads and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and the means to remove if it occurs).
- Thereafter the construction of the development shall proceed in strict accordance with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority, in consultation with West Sussex County Council and National Highways.

Reason: To ensure that the A27 trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

8) No building in Phase 2 of the development hereby approved shall be commenced unless and until a Transport Assessment has been submitted to and been approved in writing by the Local Planning Authority, in consultation with West Sussex County Council and National Highways that demonstrates either:

- The Phase 1 Vehicle Trip Cap parameters as identified in Condition 23 will not be exceeded; or
- Analysis is presented and agreed by National Highways that indicates acceptable effects on the A27; or
- A proportionate and deliverable scheme for enhancements to the A27 between Whyke Roundabout and Boxgrove Roundabout has been agreed with National Highways, along with a programme for its delivery. Enhancements may include, but shall not be limited to, physical works and/or traffic signalisation to provide safety and junction capacity improvements at one or more junctions.

If the approved Phase 2 Transport Assessment identifies that a scheme of enhancements is necessary, no building in Phase 2 of the development hereby approved shall be occupied unless and until the approved enhancements have been implemented and are open to traffic.

Reason: In order to ensure the traffic associated with Phase 2 is suitably considered and mitigated where necessary.

9) Before the development hereby commences a timetable shall be submitted to and

be agreed in writing by the Local Planning Authority in respect of delivering the biodiversity measures set out in the following suite of reports in order to enhance the biodiversity of the site with regard to landscape management, monitoring and maintenance, and species specific habitat protection, creation and enhancement:

Landscape and Ecological Management Plan (December 2023 Update, Ramboll)  
Biodiversity Management Plan (December 2023, Ramboll)  
Dormouse Mitigation Strategy (December 2023, Ramboll)  
Reptile Mitigation Strategy (July 2023, Ramboll)  
Bat Mitigation Strategy (December 2023, Ramboll)

The development and biodiversity measures shall thereafter be carried out in accordance with the approved timetable unless any variation is agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application

10) Notwithstanding any details submitted no construction of any building above slab level shall commence until a full schedule of all exterior materials and finishes and where requested samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and been 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.

11) Before installation of the solar panels hereby permitted a scheme of design for the photovoltaic (PV) panels to include an assessment conducted in accordance with Pager Power's "Solar Photovoltaic Development - Glint and Glare Guidance" (January 2017) shall be submitted to and be approved in writing by the Local Planning Authority. Any approved (PV) scheme shall be implemented as part of the installation in accordance with the approved details and maintained thereafter.

Reason: In the interests of visual amenity and the proximity of Goodwood Aerodrome.

12) No development in respect of the surface water drainage works for Phase 1 of the development shall commence until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement **including surface water management during the earthworks phase** have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the agreed drawings, method statement, Flood Risk Assessment/Drainage Strategy (Ramboll, 07/02/2023, version 1.0) and Proposed Drainage Layout Sheet 1 and 2 (Arup, 19th January 2024, C01) and shall remain in perpetuity for the lifetime of the development unless agreed in writing by the Local

Planning Authority. No alteration to the agreed drainage scheme shall occur without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policy 42 in the Chichester Local Plan.

13) Before or as part of the submission of each Phase 2 Reserved Matters application for the development hereby permitted, details of a scheme for the disposal of surface water by means of a sustainable drainage system shall be submitted to and be approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates as contained within the approved Flood Risk Assessment/Drainage Strategy, by Ramboll dated 07/02/2023, version 1.0. The scheme shall be implemented in full in accordance with the approved details prior to first use of Phase 2 of the development. The submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters.
- Demonstrate that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,
- Demonstrate that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy 42 in the Chichester Local Plan.

14) Following completion of each surface water drainage system for both Phase 1 and Phase 2 of the development, including any SuDS features, and before Phase 1 and Phase 2 are each first brought into use; a survey and verification report from an independent surveyor shall be submitted to and be approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 12 for Phase 1 and condition 13 for Phase 2. The verification report shall also include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and control mechanism. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users Remain safe for the lifetime of the development in accordance with NPPF and Policy 42 in the Chichester Local Plan.

15) Both Phase 1 and Phase 2 of the development hereby approved shall not be first brought into use until details of the maintenance and management of the sustainable

drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to each phase of the development hereby approved being brought into use and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation,
- II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
- III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and to ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy 42 in the Chichester Local Plan.

16) Before the development hereby permitted is first brought into use details shall be submitted to and be approved in writing by the Local Planning Authority in consultation with Southern Water which shall demonstrate that the foul drainage infrastructure necessary to dispose of foul water from the development is in place and functioning.

Reason: To ensure adequate provision for drainage in the interests of amenity and the environment.

17) No part of the development hereby permitted shall be first brought into use, until details of any external lighting of the site have been submitted to, and been approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire, type, mounting height, aiming angles, luminaire profiles, the timings of any lighting and the mechanism for turning on/off any external lighting). The lighting scheme shall set out how the design of the lighting shall not exceed thresholds from the Institution of Lighting Professionals for Environmental Zone E2 (rural), 'Guidance Notes for the Reduction of Obtrusive Light (Guidance Note 01/20)'; and shall minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting scheme shall further demonstrate how it complies with the South Downs National Park Authority 2021 Dark Skies Technical Advice Note. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: In the interests of residential amenity, the rural amenity of the sites wider surroundings and impacts on the South Downs National Park as a designated International Dark Skies Reserve.

18) Before the development hereby permitted is first brought into use details shall be submitted to and be approved in writing by the Local Planning Authority showing how

the escape of interior light through the proposed rooflights during the hours of darkness will be satisfactorily mitigated. The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent light pollution of the wider rural environment which is adjacent to the International Dark Skies Reserve of the South Downs National Park.

19) The development hereby permitted shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall include a specific boundary treatment plan, a planting plan and schedule of plants noting species including **the planting of an extra heavy standard Oak Tree to replace that removed in the construction of the new access**, details of any marginal/aquatic planting with sections through the planting zone, plant sizes and proposed numbers/densities and management and maintenance measures to include a programme of watering to aid establishment. In addition all existing trees and hedgerows on the land shall be indicated including details of those to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The approved scheme shall be carried out in the first planting season after practical completion or before the built development at Phase 1 is first brought into use, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice and any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application in the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

20) The development hereby permitted shall not be first brought into use until a scheme detailing hard landscape works has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall include plans showing details and samples of the hard surfacing materials - car parking areas, steps and ramps - retaining walls, green walls, fences, gates, bollards, railings, litter bins and a programme for the provision of the hard landscaping. Thereafter the scheme shall be carried out in accordance with the approved details and once provided, the works shall be retained in perpetuity.

Reason: In the interests of amenity and of the environment of the development.

21) No part of the Phase 1 works shall be first occupied or brought into use until the proposed vehicular access, including the provision of visibility splays, as shown on the drawing titled 'Proposed Site Access with Roman Road General Arrangement', reference ID BAU-VOR-5000-0042-XXXXX-BAUP-10120101 revision C06 has been constructed.

Reason - In the interest of road safety and to enable suitable access to the site.

22) Prior to the first occupation of any building in Phase 1, an update to the Operational Management Plan (OMP) dated 21 December 2023 shall be submitted to and be approved in writing by the Local Planning Authority, in consultation with West Sussex County Council and National Highways. The OMP shall align with the Phase 1 Travel Plan as approved under condition 23, including amendments to the shift pattern to 06:00-14:30 and 14:30-00:00, and once approved shall thereafter be implemented as specified within the approved document. The approved measures shall be monitored, reviewed, and reported on as required within the OMP and a further update shall be provided for the written approval of the Local Planning Authority at or before submission of the reserved matters in respect of Phase 2 of the development.

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and to secure the car parking and servicing strategy for the site.

23) The Phase 1 development hereby permitted shall not be occupied unless and until an updated Travel Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A27 trunk Road and the local highways authority). The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include, as a minimum, details of the measures to be implemented to ensure that the mode share for cars for all trips to and from the development during the period 13:00 to 16:00 does not exceed 62.5% at an overall employment level of 3,000 staff (existing development plus Phase 1 of the development hereby permitted). The maximum permitted arrival and departure vehicle trip generation rates for staff shall be as identified in Table 3-3 of the A27 Management Measures report (dated February 2024, C02) prepared by Arup.

The measures shall include:

- an accessibility strategy to specifically address the needs of employees with limited mobility requirements;
- the timetable/ phasing of the implementation of the Travel Plan measures alongside the occupation (staff numbers) of the development and its operation thereafter;
- the mechanisms for monitoring and review;
- the mechanisms for reporting with the period for reporting being no greater than annual;
- the remedial measures, controls and contingencies to be applied in the event that targets are not met including a contingency highway scheme(s) on the A27; and
- the mechanisms to secure variations to the Travel Plan following monitoring and review.

A contingency highway scheme(s) shall be identified within the travel plan to mitigate road safety impacts on the A27 if the agreed mode shift is not achieved. The scheme shall be developed to preliminary design standard in accordance with the Design Manual for Roads and Bridges and shall be supported by a Stage One Road Safety Audit.

The development shall only be occupied in accordance with the approved Travel Plan which shall remain in perpetuity unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority for the A27 trunk road and the local highways authority

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2023) and paragraph 40 DfT Circular 01/2022.

24) No part of the Phase 1 works shall be first occupied or brought into use until the car parking has been provided in accordance with the details as shown on drawing titled 'Phase 1 - Proposed Site Plan' and referenced BAU\_EIN\_5000\_ZZZZ\_DACHA\_BAUP\_01620002 Revision C02.

Reason: To ensure adequate parking provision is provided to allow the safe and efficient operation of the site.

25) No part of the Phase 1 works shall be first occupied or brought into use until provision for Electric Vehicle Charging has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. For clarity, 20% of the car parking spaces within the proposed Phase 1 surface car park shall be provided with active charging provision with 30% provided with passive provision as set out within the approved Transport Assessment.

Reason: To provide EV charging for the employees and visitors to the proposed Development.

26) No part of the Phase 1 works shall be first occupied or brought into use until the proposed additional cycle parking has been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be carried out in accordance with the approved details.

Reason: To encourage alternate modes of access to the site other than by private car.

27) As part of the reserved matters submission for any building in Phase 2, a review of the approved Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council and National Highways. The review shall update the Operational Management Plan as appropriate to align with the Travel Plan updated and approved in accordance with Condition 28. The Operational Management Plan once approved shall thereafter be implemented and regularly updated as specified within the approved document.

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

28) As part of the reserved matters submission for any building in Phase 2, a review of the approved Travel Plan shall be submitted to and be approved in writing by the



Local Planning Authority in consultation with West Sussex County Council and National Highways. The review shall update the Travel Plan to cover the whole site as appropriate to deal with any issues identified from the implementation of Phase 1 and shall include any additional measures as identified within the Transport Assessment submitted and approved in accordance with Condition 8. The Travel Plan once approved shall thereafter be implemented and regularly updated as specified within the approved document.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2023) and paragraph 40 DfT Circular 01/2022.

29) No part of the Phase 2 works shall be first occupied or brought into use until the car parking has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate parking provision is provided to allow the safe and efficient operation of the site.

30) No part of the Phase 2 works shall be first occupied or brought into use until provision for Electric Vehicle Charging has been provided in accordance with plans and details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To provide EV charging for the employees and visitors to the proposed development.

31) No part of the Phase 1 works shall be first occupied or brought into use until a scheme of carriageway widening has been undertaken on Stane Street in the vicinity of 'Temple House' in accordance with the details indicatively shown on the drawing titled 'A285 Stane Street/Roman Road Proposed Mitigation General Arrangement' within Appendix S of the Transport Assessment.

Reason: In the interests of road safety and to comply with the terms of the application.

32) The existing public right of way number FP417 across the site shall remain undisturbed unless and until legally stopped up or diverted prior to the commencement of any of the development hereby permitted. The alignment of any legally permitted diversion of public right of way number FP417 shall be protected by being clearly demarcated, signed and fenced, as may be approved by the Local Planning Authority, throughout the course of the development.

Reason: To safeguard the rights of the public.

33) In the event that land 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. The development shall not be first brought into use until;

i) An investigation and risk assessment has been undertaken in accordance with a

scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, and

ii) where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Any remediation shall be fully implemented in accordance with the approved scheme before the development is brought into use, and

iii) a verification report for the remediation shall be submitted in writing to the Local Planning Authority before the development is first brought into use.

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.

34) The development hereby permitted shall be carried out in accordance with the 'Written Scheme of Investigation', by Oxford archaeology, September 2023, Issue No:2, NGR: SU 88783 06738 in respect of the investigation, recording, analysis and dissemination of the results.

Reason: To ensure the suitable preservation of the significance of the archaeological interest that the site has been shown to contain.

35) Notwithstanding any information submitted to the contrary with the application, the development hereby permitted shall implement the following work shift changes unless any variation is specifically agreed in writing by the Local Planning Authority following the submission of an application in that regard:

Morning shift: 06:00 to 14:30 on Mondays to Saturdays and at no time on Sundays, Bank or Public Holidays.

Afternoon shift 14:30 to 00:00 on Mondays to Saturdays and at no time on Sundays, Bank or Public Holidays.

Overnight shift in Exterior Surface Centre (paint shop) only: 23:00 to 06:00 Monday to Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To accord with the terms of the application and in the interests of residential amenity.

36) Within 3 months of the commencement of operations for both Phase 1 and again for Phase 2, a sound validation test shall be submitted to and be approved in writing by the Local Planning Authority. The sound validation test shall demonstrate that noise from commercial activities from the approved site during operation gives rise to a free field rating level, as calculated at the most sensitive receptors that is no more than the established background sound level. The sound validation test results shall demonstrate that the Rating Level has been attained and where necessary appropriate mitigation has been adopted. All specified measures to mitigate noise shall be implemented and thereafter maintained. Any deviation from the rating level requirement, shall be formally agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity.

37) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted

Development) Order 2015, or in any other statutory instrument amending, revoking and re-enacting the Order, the Phase 1 and Phase 2 development hereby permitted as so specified in the application shall be used for purposes within Use Classes B2, B8 and E(g) and for no other purpose.

Reason: To ensure the use of the development does not have a harmful environmental effect in the interests of amenity and protecting residential amenity.

38) The electric regenerative thermal oxidiser (RTO) and its flue on the roof of Exterior Surface Centre shall be constructed as shown on the submitted 'Proposed Chimney' drawing and as specified in section 8.9.26, chapter 8 of the Environmental Statement (by Ramboll). The flue shall be set at a height no higher than 2.15m above roof level and 1.5m above the top part of the solar panels in order to ensure there is negligible impact from VOC's produced by the Exterior Surface Centre at sensitive receptor locations. The RTO must thereafter be maintained in accordance with manufacturer's specifications.

Reason: To accord with the terms of the application and to safeguard the environment from atmospheric pollution.

39) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate the bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground. Associated pipework shall be located above ground where possible and protected from accidental damage. The approved scheme shall be provided prior to the first use of the land for the storage of oils, fuels or chemicals and shall be maintained as approved in perpetuity.

Reason: To enable the Local Planning Authority to retain control over the development which may be injurious to the amenities of the area and of neighbouring properties and to prevent pollution.

40) The development hereby permitted shall be carried out in accordance with the measures set out in the 'Sustainable Construction and Design Statement' and specifically Appendix 1 – Operational Energy, Carbon and Water Strategy, within that document by Arup dated 14 July 2023 unless any variation is subsequently approved in writing by the Local Planning Authority.

Reason: To comply with the terms of the application and policy 40 of the Chichester Local Plan: Key Policies 2014-2029.

41) The Phase 2 Construction Traffic Management Plan to be submitted with the first reserved matters application shall include details (text, maps, and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It shall include but not be limited to:

- site hours of operation;
  - numbers, frequency, routing and type of vehicles visiting the site (including measures to limit delivery journeys on the SRN during highway peak hours such as the use of vehicle booking systems etc);
  - measures to ensure that HGV loads are adequately secured;
  - travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries;
  - sheeting of loose loads and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and the means to remove if it occurs).
- Thereafter the construction of the development shall proceed in strict accordance with the approved CTMP unless otherwise agreed in writing by the Local Planning Authority, in consultation with West Sussex County Council and National Highways.

Reason: To ensure that the A27 trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

## INFORMATIVES

1) 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.

2) Erection of flow control structures or any culverting of an ordinary watercourse Requires consent from the appropriate authority, which in this instance is Chichester District Council on behalf of West Sussex County Council. It is advised to discuss proposals for any works at an early stage of proposals. Please note if the Local Planning Authority decide to grant planning permission, we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.

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

4) The Phase 1 Travel Plan shall include clear targets and firm commitments to implement a package of sustainable travel measures along with arrangements for monitoring, review, amendment, and effective enforcement. In addition, the Travel Plan shall identify shift change times. The occupier of the development shall be responsible for the monitoring, review, amendment, and effective enforcement of the approved Travel Plan.

5) The Phase 1 Operational Management Plan shall include, but not necessarily limited to, details of staff and HGV routing and access to the site, measures to manage down demand for staff and HGV movements during the network peak hour periods, measures for consolidation of servicing trips and details of site operation (i.e., how the site is to functions on a day-to-day basis), including a parking

accumulation analysis to confirm the adequacy of staff and HGV parking provision.

6) The Phase 1 Construction Traffic Management Plan shall include details (text, maps, and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site (including measures to limit delivery journeys on the SRN during highway peak hours such as the use vehicle booking systems etc); measures to ensure that HGV loads are adequately secured, travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; plus sheeting of loose loads and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

7) The Phase 2 A27 enhancement works where so required shall be separate from RIS or other large scale National Highways schemes and will be proportionate to the scale of the development.

8) The Phase 2 Travel Plan Update shall include clear targets and firm commitments to implement a package of sustainable travel measures along with arrangements for monitoring, review, amendment, and effective enforcement. In addition, the Travel Plan shall identify shift change times. The occupier of the development shall be responsible for the monitoring, review, amendment, and effective enforcement of the approved Travel Plan.

9) The Phase 2 Operational Management Plan shall include, but not necessarily limited to, details of staff and HGV routing and access to the site, measures to manage down demand for staff and HGV movements during the network peak hour periods, measures for consolidation of servicing trips and details of site operation (i.e., how the site is to function on a day-to-day basis), including a parking accumulation analysis to confirm the adequacy of staff and HGV parking provision.

10) Commercial activities to include any external mechanical plant and/or externally venting plant (including extraction, ventilation, refrigeration, air condition, air handling units, generators) and any delivery vehicle movements, forklift movements on private land and delivery noise. The rating level shall be determined in accordance with BS4142:2014+A1:2019 "Methods for Rating and Assessing Industrial and Commercial Sound. Background sound levels shall be established for daytime (07:00 to 19:00); evening (19:00 to 23:00) and night-time (23:00 to 07:00). Assessment reference periods shall be 1hr (07:00 to 23:00) and 15mins (23:00 to 07:00).

For further information on this application please contact Jeremy Bushell on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RZ005XER0ZU00>

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Parish: Southbourne	Ward: Southbourne
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**SB/23/01952/FUL**

<b>Proposal</b>	Partial demolition, conversion, and alterations of the detached outbuilding adjacent to the public house to create a 3-bedroom chalet bungalow with associated parking and landscaping.		
<b>Site</b>	The Sussex Brewery 36 Main Road Southbourne Emsworth West Sussex PO10 8AU		
<b>Map Ref</b>	(E) 475462 (N) 105739		
<b>Applicant</b>	Punch Partnerships (PML) Limited	<b>Agent</b>	Miss Francesca Pepper

**RECOMMENDATION TO DEFER FOR SECTION 106 THEN PERMIT**



	<b>NOT TO SCALE</b>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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## **1.0 Reason for Committee Referral**

1.1 Red Card - Councillor Bangert. Reason for this request is: When the Member has information or an opinion which he/she wishes to raise in debate.

**Update for 27.03.24 Planning Committee:**

**1.1a The application was deferred by the Planning Committee on 07.02.24 for reasons relating to highway safety measures and for further relating to the swept path analysis for commercial waste vehicles.**

**1.1b Since the item was deferred at that meeting, further information has been provided by the applicants and the Committee report updated appropriately.**

**1.1c Updates to the committee report following consideration of this additional information are set out below in bold text.**

## **2.0 The Site and Surroundings**

2.1 The application site lies within the Parish of Southbourne to the South side of Main Road (A259) within the Settlement Boundary of Hermitage and the Chichester Harbour Area of Outstanding Natural Beauty (AONB), a designated National Landscape.

2.2 The site comprises an outbuilding associated with the Sussex Brewery Public House. The Sussex Brewery is a Grade II listed building; however, the outbuilding subject to this application is modern, dating approximately from the 1970's. The current outbuilding, which includes modern construction features (a damp-proof course, internal block work and RSJ), was built upon the site of an historic outbuilding, likely of similar age to the Public House. As such, the outbuilding is neither listed nor curtilage listed.

2.3 The outbuilding is separated from the Public House by the vehicular access, which runs north to south within the site and provides access to the rear (south) parking court.

2.4 The wider surroundings are characterised by mostly residential dwellings, with the Mill Pond and Emsworth Yacht Harbour to the west. The village of Emsworth, lies outside of the Chichester District but provides low key services for the area.

## **3.0 The Proposal**

3.1 The proposal seeks the partial demolition, conversion, and alterations of the detached outbuilding adjacent to the public house to create a 3-bedroom chalet bungalow with associated parking and landscaping.

3.2 The proposal would result in the demolition of part of the rear of the existing building to create a smaller 1.5 storey bungalow. The demolition of part of the structure would allow for the creation of an enclosed rear garden within the remaining footprint of the site.

3.3 The rear garden would be enclosed by way of 1.8m timber fencing, and includes details of a 1.8m hedge along the west and eastern boundaries. Within the garden, located at the



southern section, would be the provision of a bin and cycle store, which would be a flat roof structure measuring approximately 1.8m high x 3.6m wide.

- 3.4 The front of the property would retain a grassed area as a small front garden, which would step the property back from the highway. Within this garden, block paving would be constructed to connect the front door to the highway. The trees on site along this boundary would be retained, and are protected under a Tree Preservation Order (22/00327/TPO).
- 3.5 The proposal would raise the height of the ridge of the roof, whilst maintaining the original hipped roof style of the original structure. The height would increase from approximately 3.8m to 6.2m.
- 3.6 The proposal would maintain much of the same materials as existing, with red multi stock brick to match existing, clay roof tiles, white painted timber windows, grey painted composite door, and a timber canopy above the front door.
- 3.7 The property would comprise of a kitchen, living room, bathroom and one bedroom to the ground floor, and two additional bedrooms, one with an ensuite, to the first floor. The roof would have three rooflights on the western elevation. One would serve bedroom 2, one would serve the landing, and one would serve the master bedroom.
- 3.8 The proposal outlines two parking spaces to the rear of the property. One would be situated within the space between the rear garden of the property and the parking for the Sussex Brewery, whilst the other would occupy an existing space within the private parking for The Sussex Brewery to the rear. This would result in the reduction of one space overall for The Sussex Brewery.
- 3.9 Access to the site is via the existing access to the side of The Sussex Brewery south of the A259 (Main Road). This access remains unchanged.

#### **4.0 History**

07/01067/LBC	WDN	Fix 1 no. parasol at the rear of the property. The parasol consists of a white powder coated aluminium frame with an acrylic fabric. 6m x 3m in size. The purpose is to provide a covered outdoor space for customers.
07/01068/FUL	PER	Fix 1 no. parasol at the rear of the property. The parasol consists of a white powder coated aluminium frame with an acrylic fabric. 6m x 3 m in size. The purpose is to provide a covered outdoor space for customers.
12/01085/LBC	PER	Alterations and extensions to form ladies toilet, disabled toilet and court yard cover. Internal alterations to form gents toilet.

12/01086/FUL	PER	Alterations and extensions to form Ladies toilet, disabled toilet and court yard cover. Internal alterations to form Gents toilet.
12/02566/LBC	REF	Installation of external cowl to proposed kitchen extraction system.
13/00903/LBC	PER	Demolition and reduction in height of internal wall between bar area and snug.
15/02786/FUL	PER	External lighting to existing car-park area.
15/03866/LBC	PER	Replacement clay tiles and repair roof battens and insulation.
16/00089/FUL	PER	Installation of external gas meter and timber housing.
16/00090/LBC	PER	Installation of external gas meter and timber housing.
22/01005/FUL	REF	Partial demolition, conversion, and alterations of the detached outbuilding adjacent to the public house to create a 3-bedroom chalet bungalow with associated parking and landscaping.

## APPEAL

23/00050/REF	LODGED	Partial demolition, conversion, and alterations of the detached outbuilding adjacent to the public house to create a 3-bedroom chalet bungalow with associated parking and landscaping.
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## 5.0 Constraints

Listed Building	Yes (The Sussex Brewery) No (Outbuilding)
Conservation Area	NO
Rural Area	NO
National Landscape	YES
Strategic Gap	NO
Tree Preservation Order	YES
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

## **6.0 Representations and Consultations**

### **6.1 Parish Council**

The application is contrary to Neighbourhood Plan 3 Policy SB11. Proposals involving the loss of facilities will not be supported unless it can be demonstrated that they are no longer financially viable in line with the provisions of the relevant Local plan policies.

In addition, proposals to change the use of a facility or part of a facility that is surplus to requirements MUST demonstrate that all reasonable steps have been taken to retain its present use, and community value as a viable concern, including compliance with the general requirements of marketing as set out in Appendix E of the Local Plan. Paragraph 5.51-5.55 inclusive. Clause C recommends "that if facilities are expanded that car parking in accordance with the adopted car parking standards is available"... the reverse would be created for the existing pub at the loss of spaces not just upon completion of the proposed change of use but also would most likely be removed altogether during construction.

Effect on listed building - The main building, The Sussex Brewery, is a grade II Listed building, the sub-plot is in the curtilage of the main building and, as such, should have the same protected status. Members would like to see, at the very minimum, an application for listed building consent.

Highway safety/traffic/parking - Members disagree with the Highways statement regarding the proposed level of parking being sufficient. This development would not leave sufficient parking spaces for customers to the pub. The loss of two car parking spaces to this site would be significant given that this would leave only eight parking spaces for customers. Members also feel that the development would amount to more than a reduction of just 2 spaces as additional spaces would be lost to the garden area.

Parking - Members despite the matter of overspill parking being accommodated by parking on Main road. Parking is already an issue here for local residents and visitors to the area.

Parking and access - there are 4 dwellings behind the Sussex Brewery that require permanent access through the car park to the main road as this forms access point to their homes.

Safety - Members are concerned that the reduction in parking for the Sussex Brewery will increase safety concerns. The loss of spaces in the carpark will result in an increase in parking on Main Road which Members are extremely concerned about given that this area of Main Road is already an accident hot spot. The Sussex Brewery is located at a bend in a narrower part of Main road. A recent collision outside the Sussex Brewery caused near fatal injuries to two persons.

Members also object to the loss of a community asset. The building has previously been used as a venue for the Art Trail.

The proposed developments would see a loss of storage for the Sussex Brewery which is detrimental to the viability of the business.

Members are also aware of a previous application which was refused in 1986 due to safety concerns.

## 6.2 Chichester Harbour Conservancy

No objection provided planning obligations are entered into to secure nitrate/nutrient mitigation and mitigation of recreational disturbance and also subject to: -

- Agreement of external building materials, including re-use of salvaged matching brickwork/plain clay tiles;
- Safeguarding of 2 existing street trees
- Implementation and subsequent retention of the specified biodiversity enhancements
- Remove permitted development rights in respect of further extensions, outbuildings and roof alterations
- Details of measures to be built into the dwellings creation to comply with Policy 40 of the local plan to be submitted/approved/built-out and retained.

## 6.3 Economic Development Service

Our comments remain the same as those given for the previous application on this site 22/01005/FUL.

The Economic Development Service neither support nor objects to this application. This application proposes the conversion of a detached outbuilding to residential use which is currently being occupied by a public house. The Sussex Brewery is a listed building, the oldest pub in Emsworth and has been trading for over 250 years.

We understand that the detached outbuilding is not part of the listing. It is currently being used for storage, wheelies bins, stock and over spill furniture. This will need to be accommodated in the pub and storage space for the bins will be required outside. Our main concern is how this development could impact on the viability of a historic community pub. Car parking for the pub is a major attraction for customers and the loss of the two car parking spaces may reduce the viability of the pub. Furthermore, there is likely to be significant disruption during construction, the car park may have restricted access or closed, being used by contractors, skips, materials etc... this could also significantly affect trade at the pub and have a detrimental effect on turnover.

Should this property be permitted for residential use, we would draw attention to NPPF, 2023 paragraph 193. This application will need to ensure that the residential "development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including change of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed".

The responsibility should be on the applicant to ensure there is no disturbance to either residents, business occupiers or surrounding businesses. This applies to when the site is operational as residential dwelling, not during the build phase. This includes, but not limited to, noise, smells, inhibiting deliveries, Sunday Trading, late night trading and parking issues, even if they are not occurring at present.

#### 6.4 WSSC Highways

##### ***Comments received 15<sup>th</sup> March 2024:***

**The revised swept path diagrams appear acceptable.**

##### ***Comments received 7<sup>th</sup> March 2024:***

**Our previous comments regarding accident data still stands. As stated previously, whilst any accident is of course regrettable, the data does not show any collisions caused by road defect, road layout or cars parked on-street. The addition of a single dwelling is not anticipated to give rise to a significant material intensification of movements on the local highway network. This is further justified by the supporting TRICS data included in the Technical Note, which actually suggests an overall reduction in movements. Therefore, it is difficult to justify that such proposals would give rise to an adverse impact in this regard.**

**I do acknowledge the comments regarding the construction of the development. Whilst construction is not a material consideration at this stage, I would advise that a condition requiring a construction management plan be provided to mitigate the impact of this upon the local highway network.**

**One thing I would note is that the swept path diagram – the plans appears to show the refuse vehicle mounting the kerb and going over a wall at the access point? This should be redrawn to show that this would not occur.**

Correspondence with WSSC Highways regarding third party/parish council highways concerns outlined the following (received 28.11.2023):

Much of the local objection appears to relate to loss of parking and increase in overspill on-street parking as a result. I did undertake a site visit for the previous application at this site so am familiar.

We are aware that there are no parking restrictions in place on this section of the A259 and acknowledge that when cars park on the A259 it will effectively narrow the useable carriageway width - however, this is the existing situation and whilst any traffic accident is regrettable, no recorded accidents have resulted from cars being parked on-street or road layout. Therefore, there is no evidence that the proposals will exacerbate or cause a detrimental impact upon highway safety and the Highway Authority's earlier comments still stand. As I have stated previously, the Local Planning Authority could consider the potential for the loss of existing residents parking amenity as a result of overspill car parking from the development. As Highway Authority we can only consider the road safety implications of overspill car parking.

Comments received 10<sup>th</sup> October 2023

The proposal is for the partial demolition, conversion, and alteration of existing outbuilding to form a three-bedroom chalet bungalow. The site is located on Main Road, an A-classified road subject to a speed restriction of 30 mph in this location.

This application is supported by a Transport Statement prepared by Transport Planning Associates. Following an inspection of the submitted application documents, WSCC in its role as Local Authority (LHA) raises no highway safety concerns for this application.

The LHA previously provided consultation advice for this site for similar application 22/01005/FUL, raising no highways safety concerns. The Local Planning Authority (LPA) refused the application.

#### Access and Visibility

The applicant proposes to utilise the existing vehicular access on Main Road, with no alterations to this arrangement proposed. From inspection of WSCC mapping, there are no apparent visibility issues with the existing point of access on to Main Road. In addition, the proposed conversion to a single dwelling is not anticipated to give rise to a significant material intensification of movements to or from the site.

#### Parking and Turning

The applicant proposes to allocate two existing car parking spaces for use by the proposed dwelling. The proposed level of parking provision is suitable for a dwelling of this size and location. From inspection of the plans, the proposed parking bays are suitably sized and on-site turning appears achievable.

Any overspill parking that may occur as a result of the loss of two parking spaces for the Public House can be accommodated on-street. There are comprehensive parking restrictions in place on nearby roads that prohibit parking in places that would be detrimental to highway safety. The LHA does not anticipate that this development would give rise to an adverse highway safety impact, but the LPA may wish to consider potential impacts on on-street parking from an amenity point of view.

Regarding cycles, the applicant proposes a secure cycle store, which appears of suitable size to provide cycle parking provision in accordance with WSCC Parking Standards.

#### Sustainability

The site is situated just outside of Emsworth, with Southbourne village also nearby to the east. The site itself is within walking distance of local services and amenities - cycling is a viable option in the area. The site is well connected by public transport, with regular Coastliner bus services available from the A259. Emsworth Train Station is located approximately 1km northwest of the site.

#### Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following condition should be applied:

#### 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 to be 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.

## 6.5 Environmental Protection

With respect to matters Environmental Protection would comment on, this revised application appears broadly the same as 22/01005/FUL, and the noise assessment submitted is identical to that submitted in support of 22/01005/FUL. Our comments are therefore the same as those submitted by my colleague Kate Simons on October 2022 which I reproduce below:

The EP team has reviewed the information submitted and our comments are as follows. Paragraph 193 of NPPF is applicable to this application and it includes the following 'where the operation of an existing business or community facility could have a significant adverse effect on new development (including change of use) in its vicinity, the applicant (or agent of change) should be required to provide suitable mitigation before the development has been completed" the applicant has submitted a noise assessment which has taken account of the relevant sources of noise in making the assessment and it includes mitigation suggestions.

We recommend the following condition is applied:

No development shall commence until a noise mitigation scheme has been submitted to and approved in writing by the Local Planning Authority demonstrating that appropriate standards are met for the approved use. Any approved noise mitigation measures shall be implemented prior to occupation and maintained thereafter.

The applicant's attention is drawn to the attached informative which offers clarification with regards to the specific requirements of this condition:

The Noise Mitigation Scheme can draw from the submitted Noise Assessment. It would be expected the scheme outlines mitigation details such as layout of rooms, glazing and ventilation specifications etc... The scheme would also offer predicted sound levels that are deemed acceptable to relevant guidance. During construction works it is recommended that a construction management plan is adhered to in order to control noise, dust, waste, traffic, lighting and other environmental impacts. The CMP should be secured by condition.

I would add that the applicant could have taken the opportunity of the revised application to submit their noise mitigation scheme, rather than leave this as a matter that would require a subsequent application to discharge condition. However suitable noise mitigation is achievable for this proposal, so I would not recommend refusal on noise grounds.

## 6.6 WSSC Education

Many thanks for the opportunity to comment on the above application, we can confirm that:-

We have no education comments to make in relation to this application.

## 6.7 Environmental Strategy

### Nutrient Neutrality

Due to the impacts of nutrients on Chichester and Langstone Harbour SPA and guidance from Natural England relating to the requirement for nutrient neutrality, a nitrogen assessment for the site will be required as part of this planning application. Current maps of Chichester show that this site will discharge to Thornham which goes into Chichester and Langstone Harbour SPA. The assessment will need to calculate the nitrogen budget for the new development that would result in a net increase in population served by the wastewater system. This assessment will need to demonstrate that either the new development will avoid harm to Chichester and Langstone SPA or provide the level of mitigation require to ensure that there is no adverse effect. Though a nutrient calculator has been provided we require that the Nutrient Budget Calculator V2.3 is completed along with a Nutrient Neutrality report detailing how any increase in nitrates will be mitigated. The applicant will need to follow the NE - approved methodology and more information relating to this can be found here: <https://www.chichester.gov.uk/nutrientneutrality>

### Bats

Following submission of the Bat Survey Report (Aug 2022), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place. The applicants should be aware that a Natural England Protected Species License will be required for the works, and this will need to be obtained prior to any works taking place.

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

We require that a bat box is installed on the buildings onsite facing south/south westerly positioned 3-5m above ground.

### Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

We would like a bird box to be installed on the extension and/or tree within the garden of the property.

### Hedgehogs

Any brush pile, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. If any piles need to be removed outside of the hibernation period mid-October to mid-March inclusive, the piles must undergo soft demolition.

A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs.

## 6.8 Natural England

No Objection subject to appropriate mitigation being secured.

## 6.9 Third party objection comments



21 third party representations of objection have been received concerning the following matters:

- a) Not in keeping with the area
- b) Restrict parking
- c) Dangerous Road
- d) Disruption to residents during construction
- e) Location of commercial bins
- f) Harm to Listed Building
- g) Outbuilding should have Listed status
- h) Access for residents using the carpark
- i) Not enough space for a dwelling
- j) Outbuilding is of great value to the pub
- k) Threat to operation of pub

## **7.0 Planning Policy**

### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. ~~Southbourne Parish Council has prepared the draft Southbourne Parish Neighbourhood Plan Pre-Submission Modified Plan 2014-2029. This plan has passed examination and the public referendum was 25 January 2024, the outcome of which is awaited at the time of writing. At this stage, the Neighbourhood Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2023). An update as to the weight of this plan will be provided in the update sheet for the Planning Committee.~~

**Southbourne Parish Council has prepared the draft Southbourne Parish Neighbourhood Plan Pre-Submission Modified Plan 2014-2029. This plan was made on Tuesday 27 February 2024 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 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

Policy 42: Flood Risk and Water Management

Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)

Policy 47: Heritage

Policy 48: Natural Environment

Policy 49: Biodiversity

Policy 50: Development and Disturbance of Birds in Chichester and Langstone

### 7.3 Chichester Local Plan 2021 - 2039: Proposed Submission (Regulation 19)

~~Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in early 2024. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2024. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2023).~~

~~At this stage, the Neighbourhood Plan review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF.~~

**The Chichester Local Plan 2021-2039: Proposed Submission (LPPS) has now completed its 'Regulation 19' consultation (17 March 2023). The Council's published Local Development Scheme in January 2023 anticipated that the plan would be submitted for examination in Summer 2023 but given the complexity of issues involved the anticipated submission date is now early 2024. Accordingly, the plan could now be considered to be at an 'Advanced Stage of Preparation' for the purposes of para 48(a) of the National Planning Policy Framework (NPPF) and consequently could be afforded moderate weight in the decision-making process. Once it is submitted for examination it will be at an 'Advanced Stage' for the purposes of assessment of development proposals against para 49(b) of the NPPF.**

### 7.4 Southbourne Neighbourhood Plan

**The Southbourne Modified Neighbourhood Plan was 'made' by Council on Tuesday 27<sup>th</sup> February 2024. This Modified Neighbourhood Plan is now a material consideration but it does not alter the LPA's position on this application.**

Relevant policies from the published Southbourne Parish Neighbourhood Plan pre-submission modified plan 2014-2029 are:

- Policy SB1: Development within Settlement Boundaries
- Policy SB3: Local Housing Needs
- Policy SB4: Design in Southbourne Parish
- Policy SB6: Design and Heritage in Hermitage
- Policy SB11: Community Facilities and Local Shops
- Policy SB13: Green and Blue Infrastructure Network
- Policy SB14: Biodiversity
- Policy SB15: Trees, Woodland, and Hedgerows
- Policy SB17: Achieving Dark Skies
- Policy SB18: International Nature Sites
- Policy SB20: Water Infrastructure and Flood Risk
- Policy SB21: Sustainable Travel

## 7.5 National Policy and Guidance

Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2023), which took effect from December 2023. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 important for determining the application are out-of-date, granting permission unless:*

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

*or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

7.6 Consideration should also be given to the following paragraph and sections: 1, 2, 6, 12 and 15. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

## 7.7 Other Local Policy and Guidance

The following documents are material to the determination of this planning application:

- Planning Obligations and Affordable Housing SPD
- Surface Water and Foul Drainage SPD
- CDC Waste Storage and Collection Guidance
- CHC Chichester Harbour AONB Management Plan (2014-2029)

## 7.8 Interim Position Statement for Housing Development

7.9 In accordance with national planning policy, the Council is required to regularly prepare an assessment of its supply of housing land. ~~The Council's most recent assessment of its Five Year Housing Land Supply was published on 5th December 2022 and provides the updated position as of 1 April 2022. At the time of preparing this report the published assessment identifies a potential housing supply of 3,174 net dwellings over the period 2022-2027. This compares with an identified housing requirement of 3,350 net dwellings (equivalent to a requirement of 670 homes per year). This results in a housing shortfall of 176 net dwellings, equivalent to 4.74 years of housing supply. The Council therefore finds itself in a similar position to that in the Summer of 2020 when it resolved to start using the Interim Position Statement on housing (IPS) to support the delivery of sustainable new housing development outside of settlement boundaries.~~

7.10 To help pro-actively ensure that the Council's housing supply returns to a positive balance prior to the adoption of the Local Plan Review, the Council will continue to use the IPS, which sets out measures to help increase the supply of housing in appropriate locations. A draft IPS was originally approved for use by the Planning Committee at its meeting on 3 June 2020 at a time when the Council could not demonstrate that it had a 5-year housing land supply. Following a period of consultation and subsequent revisions it was reported back to the 4 November 2020 Planning Committee, where it was approved for use with immediate effect. In the absence of a 5YHLS new housing proposals such as this application will be considered under the IPS and assessed against the 13 criteria set out in the IPS document. The IPS is a development management tool to assist the Council in delivering appropriate and sustainable new housing sites outside of existing settlement boundaries. The IPS is not formally adopted 'policy' and neither does it have the status of a supplementary planning document, but it is a material consideration in the determination of relevant planning applications when used alongside up to date policies in the Local Plan. It is a document that decision makers need to have regard to in the context of why it was introduced and in the context of what the alternatives might be if it wasn't available for use. New housing proposals which score well against the IPS criteria where relevant are likely to be supported by officers.

**7.10a The Council has recently issued its Updated Position Statement on its 5YHLS housing supply (as of 1 April 2023). The current assessment for the Chichester Local Plan area identifies a potential housing supply of 2,661 net dwellings over the period 2023-2028. This compares with an identified housing requirement, over 4 years of 2,542 net dwellings. This results in a surplus of 121 net dwellings, equivalent to 4.19 years of housing supply.**

7.11 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
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

## **8.0 Planning Comments**

8.1 The main issues arising from this proposal are:

- i. Principle of development
- ii. Planning appeal APP/23/00050/REF
- iii. Impact upon the Character of the National Landscape and the setting of the Listed Building
- iv. Impact upon the amenity of neighbouring properties/future occupiers
- v. Highways
- vi. Ecology
- vii. Drainage
- viii. Nutrient Neutrality
- ix. Recreational Disturbance
- x. Infrastructure
- xi. **Policy SB11: Community Facilities and Local Shops**
- xii. Other Matters
- xiii. Conclusion

### Assessment

i. Principle of development

8.2 The site is located within the defined Settlement Boundary of Hermitage, which is identified by Policy 2 as a Service Village, capable of accommodating small housing developments, in accordance with Policy 5 of the Local Plan.

8.3 Policy 4 confirms there is an identified need for additional housing within the Plan period and sites within the settlement boundary, are sustainable locations for new residential development, subject to the further material considerations set out below.

8.4 The proposal is unlikely to be of detriment to the viability of the Sussex Brewery Public House (PH) as the applicants have advised the current outbuilding has been in limited storage use. They have also adequately demonstrated there is sufficient storage within the PH to meet the needs and demands of the PH. There is likely to be a degree of disruption that results during the construction works; however, this should be minimal and a Construction and Environmental Management Plan, would help to minimise these impacts. As it is the brewery applying for this application, it is unlikely they would wish to adversely impact the operations of the PH during the building works. In any event, the disruption would be relatively short-term given the modest nature of the building works. Consequently, it is considered unlikely the proposal would adversely impact the viability of the PH.

ii. Planning appeal APP/23/00050/REF

8.5 In August 2022 Planning Permission was sought for the 'Partial demolition, conversion, and alterations of the detached outbuilding adjacent to the public house to create a 3-bedroom chalet bungalow with associated parking and landscaping'. The application was

refused in June 2023 under delegated powers due to the lack of contribution towards the Strategic Road Network (SRN) and is currently subject to Appeal.

- 8.6 This application is identical to the Appeal scheme, with the exception being that the applicant is now agreeable to paying the contribution to the SRN. The purpose of this application is twofold. Firstly, the applicant in submitting this application is seeking to obtain planning permission, in advance of a decision issued by the Inspector. Secondly, it allows the applicant to address the second reason for refusal, which relates to the contribution towards Recreational disturbance, which was not sought on the original planning permission due to the refusal. **The applicant has now agreed to pay the A27 and Recreational Disturbance contribution for this appeal. If both of these contributions are paid, then the applicant has addressed both reasons for refusal on the application subject to Appeal.**
- 8.7 Consequently, whilst officers and the Planning Committee are considering a new planning application, it is noteworthy that it would be likely to constitute unreasonable behaviour if the Planning Committee was to raise new issues with this application, over and above the contributions required towards the Strategic Road Network and Recreational Disturbance.
- iii. Impacts Upon the character of the National Landscape and the setting of the Listed Building
- 8.8 Policy 33 of the Local Plan, seeks to ensure that new development provides for an appropriate density of development and respects and, where possible, enhances the character of the surrounding area and site and its setting in terms of its proportion, form, massing, siting, layout, density, height, size, scale. Policy 43 concerns development within the Chichester Harbour National Landscape and requires proposals to meet the five criteria listed within the policy, whilst also ensuring proposals protect the natural beauty and distinctive features of the National Landscape and limiting development to that which reinforced and response to, rather than detracts for the special qualities of the National Landscape.
- 8.8a Paragraph 182, Section 15 of the NPPF outlines how great weight should be given to conserving and enhancing landscape and scenic beauty in AONB. Development within these areas should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.**
- 8.9 Policy 47 of the Local Plan refers to both heritage and design; setting out that new development should recognise, respect, and enhance the local distinctiveness and character of the area. NPPF Paragraphs 131 and 135, seek to ensure that development is high quality, creates better places to live, adds to the overall quality of the area and is visually attractive as a result of good layout.
- 8.10 Policy SB1 of the Southbourne Neighbourhood Plan outlines how development within the Settlement Boundaries will be supported if they respect their setting, form and character of each settlement as defined in their respective design policies in the neighbourhood plan and ensure good accessibility to local services and facilities. Policy SB6 outlines design and heritage in Hermitage and states that proposals will be supported if the nature and location of the proposal has regard to: The significance of Slipper Mill Pond and Peter Pond in providing visual amenity on the western edge of the area, the views towards

Emsworth Conservation Area, importance of retaining established trees and public open spaces at Mill End, use of brick, flint and clay tiles in the early cottages and terraces either side of Main road, and finally, the openness of the south of the area and the uninterrupted views towards Chichester Harbour. SB4 makes reference to Design in Southbourne, with development being supported where their scale, density, massing, height, landscape design, layout and materials reflect and enhance the architectural and historic character of the area. Specific reference to the Chichester Harbour National Landscape highlights how consideration should be given to the distinctive character and qualities of the National Landscape.

- 8.11 The proposals seek to largely retain the existing building, which the Council's Principal Conservation and Design Officers considered to be of reasonable quality and bearing some similarity to the historic brickwork of the main listed building. The existing brick walls are to be retained with the existing roof to be removed and replacing with a taller, half hipped roof with barge boards. The building will be shortened through the removal of the southern end of the building. A new entrance will be introduced to the northern elevation, utilising an existing window. The western elevation will see the timber doors removed and bricked up, with new painted timber windows introduced. The existing boundary wall would be retained, save for a small pedestrian entrance.
- 8.12 The resultant dwelling would be appropriate in its form, size and scale when compared with the traditional context of the site and its surrounding. The overall domestic appearance of the building has been restrained which serves to accentuate the character of the dwelling as the site of a former historic outbuilding. It would remain subservient to the larger Sussex Brewery PH, despite the increase in height. The hierarchy of built development within the site remains respectful of the former, ancillary function of the store building. The dwelling would be more assertive within the streetscene; however, this is balanced against the improvements to the form of the building. It is therefore not considered to result in an overly assertive or harmful form of development.
- 8.13 The alterations will see a more sympathetic and appropriate appearance for this building, which has been subject to some unsympathetic alterations and materials. The use of quality, traditional materials, which are reflective and in keeping with the character of the area, will be key to the success of the dwelling. Officers would wish to obtain details and samples of the materials before construction commences, including a sample panel of brickwork. The applicant has indicated their desire to use traditional materials, including clay tiles and painted timber windows and would be agreeable to such conditions.
- 8.14 The concerns relating to the loss of a Community Asset raised by the Parish Council and third parties has been assessed as part of the application. The outbuilding is currently used as storage for the public house. Despite historic use of the site for hosting the art trail, the conversion of this outbuilding would not result in the loss of an important economic site, Community Asset or other use class which would be of detriment to the wider community. **This is further assessed under section xi.**
- 8.15 Under the original application 22/01005/FUL the conservation and design officer assessed the heritage significance of the existing outbuilding. The senior officer noted that the outbuilding fails to meet the test to be considered a Non-Designated Heritage Asset which would be the strongest argument against demolition. Overall, subject to high quality materials, the conservation officer deemed that there would be no compelling reason to refuse the application in conservation and design terms.

- 8.15a The Chichester Harbour AONB SPD outlines how development should complement the surrounding character, with the use of traditional, natural materials generally being more appropriate. It outlines how windows should be complementary size, scale and style to the original dwelling, and focuses on how development should be assessed on its impact as viewed from the wider landscape. Policy 2 of the Chichester Harbour AONB Management plan highlights how all development in Chichester Harbour should continue to conserve and enhance the AONB.**
- 8.15b The development would sit within an area characterised by a mix of residential built form. Properties in this area are generally two storey with a mix of detached, semi-detached and terrace with a range of materials including brick, flintwork and render. As discussed in the paragraphs above, the proposal would result in a reduction in built form to create a dwellinghouse which would be comprised of traditional materials including clay tiles and timber windows. The proposed dwellinghouse would sit below the ridge of the immediate neighbouring properties to the east, and would result in the appearance of a traditional chalet bungalow. Due to the development remaining in keeping with the guidance from the AONB SPD with regards to the form, appearance and materials, it is considered that the proposal would not detract from the character of the National Landscape, and would not appear out of keeping with the character of the area. Furthermore, the property is not widely visible from public vantage points within the National Landscape. As such, the proposed development would not impede or impact on any wider views from the Harbour, and would not be considered harmful to the rural character of the National Landscape.**
- 8.16 Consequently, the proposal would result in an acceptable form of development, which would improve the quality of an existing building. It would result in a somewhat more assertive building within the streetscene; however, this is not considered to be adversely harmful to the streetscene, setting of the listed building or the National Landscape. The impacts upon the setting of the listed building and on the immediate streetscene, would be neutral. Finally, as the building lies within an existing cluster of development, it is not widely visible from public vantage points, or key views from within the wider National Landscape. The proposal would therefore comply with Policies 33, 43 and 47 of the Local Plan and NPPF Paragraphs 131, 135 and 182, which seek to ensure that development is high quality, creates better places to live, adds to the overall quality of the area and is visually attractive as a result of good layout, and Policies 1, 4 and 6 of the Southbourne Neighbourhood Plan.
- iv. Impact upon the amenity of neighbouring properties/future occupiers
- 8.17 The National Planning Policy Framework in paragraph 135 states that planning decisions should create places that offer a high standard of amenity for existing and future users. Policy 33 of the Chichester Local Plan includes a requirement to protect the amenities of neighbouring properties.
- 8.18 The proposal would result in the conversion of an existing building, albeit with a modest increase in height into a dwellinghouse. The heightened building, which retains its current footprint would result in an acceptable relationship with neighbouring properties, in respects of outlook, privacy and available light. The proposal incorporates of fairly modest enclosed rear garden space, which is below what the Council would typically expect to



see. However, in considering the context of the site, and its surroundings, the size of garden would not be dissimilar to neighbouring properties within the area. Similarly, the dwelling itself is modest, and likely to be occupied by a smaller household, rather than a larger family, and consequently Officers are satisfied, on balance, with the level of amenity space provided.

- 8.19 The applicant has submitted a noise assessment which has taken account of relevant sources of noise in making the assessment and it includes mitigation suggestions. The report includes necessary mitigation measures to protect the future occupiers from adverse noise impacts from the neighbouring PH. The noise report has been reviewed by the Council's Environmental Protection Officer (EPO), who is satisfied with its conclusions. The Council's EPO has suggested a condition to secure a suitable noise mitigation scheme, which would be required to be submitted to the LPA for approval, prior to implementation. Therefore, subject to compliance with this condition, the proposal would be acceptable in respects of noise.
- 8.20 The proposal therefore complies with Policy 33 Local Plan and Paragraph 135 of the NPPF which seek to promote a high standard of amenity for existing and future users and ensure suitable mitigation is provided when existing business currently operates.

v. Highways

- 8.21 Paragraph 114 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Additionally, Policy 39 of the CLP asserts that development should be designed to minimise additional traffic generation and ensure adequate access to the public highway and one-site parking needs which meet the current West Sussex County Council guidance.
- 8.22 The assessment of access, highway safety and parking has been undertaken in consultation with WSCC Highways, who have raised no objection to the proposed development. The proposal would allocate two of the existing parking spaces, associated with the Public House (PH) to the proposed development, with any shortfall in parking to the PH capable of being accommodated within the highways network. This has raised particular concern; however, given the robust parking restrictions within the area, it is considered there are adequate protections in place to prevent unlawful or dangerous parking practices.
- 8.23 The Chem Route was previously put on hold by National Highways as West Sussex County Council (WSCC) were due to review their speed limit policy and the speed limit along the A259. As such, it has not yet been provided or developed to a stage which would necessitate weight being attributed to it within the planning balance.
- 8.23a In light of the concerns raised in the previous committee, the applicant has supplied a Highways technical note to address the concerns relating to refuse vehicles including a swept path analysis. The swept path analysis shows that a refuse vehicle would still be able to adequately access the site and turn appropriately. This would maintain the existing method of collection.**

**8.23b** In light of the concerns raised due to accidents along Main Road, WSCC Highways have been consulted on the proposal with regards to highways safety, and they have raised no objection. The site would be utilising the existing access which is used for patrons of the pub, as well as the properties to the rear. Sufficient swept path analysis and visibility splays have been provided. There is no new access being proposed onto the road, and as the highways officers do not raise objection to the use of this access, it would seem unreasonable to refuse the application on highways safety concerns. The most recent comments dated 07.03.2024 highlight that “the data does not show any collisions caused by road defect, road layout or cars parked on-street...it is difficult to justify that such proposals would give rise to an adverse impact in this regard”.

**8.23c** Officers note the comments from WSCC Highways outlines an error in the swept path diagram appearing to show the refuse vehicle mounting the kerb and going over a wall. The applicant submitted revised drawings correcting this error, and the Highways officer was reconsulted. It was confirmed that the swept path plans submitted are acceptable. Officers wish to stress that the original access point onto the Main road remains unchanged, and that the original agreement is for refuse vehicles to access the site at present, there would be no concerns in relation to the future access as the vehicles are at present accessing the site with seemingly no issues.

**8.23d** As well as the swept path analysis for refuse vehicles, the applicant has provided swept path plans to show the access for the neighbouring property, to show that there would still be sufficient turning and access for a transit type van in light of the new development.

**8.23e** In considering the above, the proposal is considered to result in an acceptable impact upon the highways network, with the proposal having been robustly considered by the Highways Offices. Consequently, the Officers are satisfied in respects of highways safety, turning and parking.

vi. Ecology

8.24 Policy 49 of the Chichester Local Plan requires the biodiversity of the site to be safeguarded.

8.25 The proposal has been reviewed in consultation with the Council's Environmental Strategy Officer, who is satisfied with the mitigation proposed by the Bat Survey Report (Aug 2022). The imposition of a planning condition to ensure compliance with the Bat Survey Report, its findings and the other suggested mitigation and enhancements measures will ensure the biodiversity of the site is retained and enhanced. Consequently, the proposal can be considered to comply with Policy 49 of the Local Plan and Paragraph 186 of the NPPF.

8.26 There are two trees to the north of the site, which lie within the control of the application. These trees are to be retained. As the walls of the existing building are to be retained, it is unlikely the proposal would result in any adverse impacts upon the rooting systems of these trees. However, given the proximity of the trees to the existing façade of the

building, and the tight confines of the site, it is considered preferable for tree protection measures, likely ground protection measures to be provided. Officers are satisfied these could be adequately secured via condition.

**8.26a Policy SB14 of the Southbourne Modified Neighbourhood Plan outlines how development proposals should take account of the protected and other notable biodiversity species, with criteria B outlining how development proposals should contribute to, increase and enhance the natural environment by providing additional habitat resources for wildlife and demonstrate that any potential impacts upon priority species and habitats have been fully assessed and mitigated to deliver at least 10% net gain in biodiversity.**

**8.26b Biodiversity Net Gain is also required for development under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The Planning Practice Guidance dated February 2024, however this is currently in force for all major applications, with BNG not being a requirement for minor planning applications until 2<sup>nd</sup> April 2024. Biodiversity Net Gain is also required for development under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). We are currently in a transitional period with relation to National BNG, and as such, weight can be given to Policy SB14 of the SBNP.**

**8.26c The proposal would not result in the net loss of any important biodiversity habitats, with the proposal being sited within a paved carpark. Under the biodiversity metric, impermeable hard landscape is described as being urban developed land with sealed surface, with a very low distinctiveness. The proposal would include the removal of part of the built form on site, and the fencing of the existing car park which would be replaced with grass and hedges. Along with this would be the provision of bird nesting boxes and insect boxes on site. These all contribute to an increase in biodiversity for the site. Further to this, the application would be conditioned in line with the bat survey to ensure it provides a reduced level of lighting, bat boxes and further ecological enhancements which help to contribute towards the 10% net gain in biodiversity by creating and enhancing the habitats on site.**

vii. Drainage

8.27 The proposal indicated surface water would be disposed of via the public sewer, which is likely how the existing surface water is disposed of. Given the scale of the development, Officers are satisfied Building Regulations will adequately secure the most appropriate surface water disposal for the site.

viii. Nutrient Neutrality

8.28 The site is served by a WwTW that discharges into a Solent European Protected Sites. In such instances, the implications from the proposed development (that is the nutrient content of the discharge), together with the application of measures to avoid or reduce the likely harmful effects from the discharge, are required to be tested by the by the LPA via an 'Appropriate Assessment' to assess the impact on the designated sites in accordance

with the Conservation of Habitats and Species Regulations 2017 (as amended). Natural England must then be consulted on any such Appropriate Assessment.

8.29 The scheme proposes to off-set the increase nutrients arising from the development by means of an agricultural reversion scheme in which land is left as nil-input land following the cessation of arable farming. Natural England have confirmed agreement to this approach and an overarching S106 agreement has been produced to secure the proposed mitigation. The overarching agreement has enabled a third-party credit system to be developed, whereby developers can purchase credits, which equate to an identifiable parcel of land within the off-site mitigation scheme at Droke Farm. The purchasing of the relevant number of credits, is secured via planning condition, and developers are required to submit evidence of credits having been purchased, prior to the commencing of works. However, in this instance the applicant has already purchased the necessary credits and provided evidence of this to the LPA. Consequently, the LPA are satisfied the development can achieve nutrient neutrality and would not have an adverse impact upon European designated sites. The proposal would therefore comply with Section 15 of the NPPF 2023 and regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended).

ix. Recreational Disturbance

8.30 The site falls within the 'Zone of Influence' for the Chichester and Langstone Harbour Special Protection Area whereby Policy 50 of the Local Plan advises development resulting in an increase in residential development is likely to have significant environmental impacts on this internationally important designation, in respects of Recreational Disturbance.

8.31 An appropriate assessment relating to the impacts of the development has been carried out and it is considered that the entering of a legal agreement to secure a financial contribution to offset the impact provides adequate mitigation. The contribution would be made towards the Bird Aware Scheme, which is a strategic mitigation package derives to mitigate the impacts. Due to this contribution, the proposal would comply with Policy 50 of the Local Plan.

x. Infrastructure

8.32 At the time of writing, it is considered that the emerging Local Plan is at an advanced stage of preparation and its weight as a material consideration in the determination of planning applications has increased. The Chichester Local Plan Review (LPR) will require all new housing in the southern part of the Plan Area to contribute to a scheme of infrastructure improvements to the strategic road network (A27).

8.33 The LPR sets out a strategy to provide long term mitigation of these impacts, up to 2039, which requires all new housing development (net increase) to contribute towards identified improvements. In the absence of any such contribution the proposals would lead to an unsustainable increase in impacts upon these networks and would undermine the ability of the emerging LPR to deliver an appropriate mitigation strategy to see further growth of up to 3,600 dwellings beyond existing commitments.

8.34 The applicants have agreed to pay the financial contribution towards the A27, and this will be secured via S106.

8.35 The proposal therefore meets Policy 9 of the Chichester Local Plan 2014-2029, Policies I1, T1 and T2 of the emerging Chichester Local Plan Review 2021-2039: Proposed Submission and Paragraphs 8, 108, 110 and 114 of the National Planning Policy Framework.

xi. **Policy SB11: Community Facilities and Local Shops**

8.36 Policy SB11 of the Southbourne Modified Neighbourhood Plan seeks to protect community facilities and local shops in the Parish from a change of use to a non-commercial use. The criteria outlined in the policy highlights that proposals involving the loss of facilities will not be supported unless it can be demonstrated that they are no longer financially viable in line with the provisions of the relevant Local Plan policies, Criteria B outlines how proposals to change the use of a facility, or part of a facility that is surplus to requirements must demonstrate that all reasonable steps have been taken to retain its present use and community value as a viable concern. Paragraph 5.53 of the Modified Neighbourhood Plan highlights how this policy is intended to afford protection for community facilities and local shops to ensure their long term community or retail value is not lost without good reason. Its intent is broadly in line with CLPKP Policy 38 on community facilities and operates alongside the guidance of CLPKP Appendix E on marketing.

8.37 Officers are aware of the concerns raised from consultees and third parties relating to the threat to the operation of the pub, with references being made to Policy SB11 of the Neighbourhood Plan. It is well understood that those parties feel that the conversion of this outbuilding could eventually result in the loss and closure of the pub, which is considered to be an important part of the community. It is important to note that the assessment of the current application cannot be decided on speculation or the potential future applications on the site.

8.38 The assessment at present is for the works outlined in the proposal and it would be unreasonable to refuse the application on the basis of how the site may be perceived to change in the future. The application is for the conversion of an outbuilding which was used as additional storage to The Sussex Brewery. This storage space has been moved internally within the pub, and as such the outbuilding is not being used in connection with the pub.

8.39 When considering paragraph 5.53 of the SBNP, it states that it runs broadly in line with policy 38 of the CLP. Policy 38 of the CLP relates to the loss of an existing community facility. The proposal would not result in the loss of a community facility. It will result in the loss of a storage building in connection with a community facility, however the storage building is not required for the functioning of the community facility, as the function it provides has been facilitated within the pub as outlined in the design and access statement.

xii. **Other Matters**

- 8.40 Officers note the reference the Parish Council has made to the refused application in 1986. Officers would like to make the Committee aware that the determination of an application in 1986 was made under different policy context and is therefore not a material consideration when assessing the current application. The proposal must be assessed on the merits and context of the current time and location, and determined under the most recent and relevant constraints and issues that affect the site.
- 8.41 Officers note the third-party concerns relating to disruption to residents during construction. As with all development, necessary building works and contractors would be required to facilitate the works. To control and manage the disruption during this time, a suitable condition requiring the applicant to submit a CEMP would be included to ensure that the details of construction are discharged prior to implementation of the scheme to safeguard neighbouring amenity and safety.
- 8.42 ~~Officers are aware of the concerns raised from consultees and third parties relating to the threat to the operation of the pub, with references being made to Policy SB11 of the Neighbourhood Plan. It is well understood that those parties feel that the conversion of this outbuilding could eventually result in the loss and closure of the pub, which is considered to be an important part of the community. It is important to note that the assessment of the current application cannot be decided on speculation or the potential future applications on the site. The assessment at present is for the works outlined in the proposal and it would be unreasonable to refuse the application on the basis of how the site may be perceived to change in the future. The conversion of the outbuilding would be removing an outbuilding in connection with the pub. The application is not for the removal of the pub and so cannot be considered on the basis of this.~~

xiii. Conclusion

- 8.43 The proposal would result in the provision of an additional dwellinghouse, within the Hermitage Settlement Boundary, which is designated as a Service Village within the Local Plan. The proposal would be appropriate in its form, size and scale when compared with the traditional context of the site and its surrounding and improve the quality and appearance of the existing store building. It would result in a slightly more assertive building within the streetscene; however, it would remain a modest structure respectful of the hierarchy of development within the site. The sensitivity of the design, together with the use of appropriate traditional materials, which could be secured via condition, ensures the proposal has an acceptable impact upon the setting of the listed building and the character of the National Landscape.
- 8.44 The proposal is considered to result in an acceptable impact upon the highways network, provides adequate parking and an appropriate level of amenity for future occupiers and neighbouring properties.
- 8.45 The scheme is acceptable in terms of its ecological impacts, subject to securing the mitigation set out within the bat report, and the scheme can demonstrate nutrient neutrality.
- 8.46 The applicant would contribute to the Strategic Road Network (SRN) due to its likely unacceptable impact on the safety and function of both the SRN and Local Highway Network (LHN). This contribution would meet the requirements of Policy 9 of the

Chichester Local Plan 2014-2029, Policies I1, T1 and T2 of the emerging Chichester Local Plan Review 2021-2039: Proposed Submission and Paragraphs 8, 108, 110 and 114 of the National Planning Policy Framework.

- 8.47 The site is located within the 5.6km 'zone of influence' of the Chichester and Langstone Harbours Special Protection Area where it has been identified that the net increase in residential development results in significant harm to those areas of nature conservation due to increase recreational disturbance. The applicant has agreed to pay contribution to the proposal which would meet Policy 50 of the Chichester Local Plan Key Policies 2014-2029 and would also meet the Conservation of Habitats and Species Regulations 2017 and the advice in the NPPF.
- 8.48 Due to the above, and having regard to all other material considerations, it is recommended that, subject to a S106 to secure the A27 contribution and Recreational Disturbance mitigation, and the conditions set out below, permission is granted.

#### Human Rights

- 8.49 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account 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) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

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

3) No development shall commence, including any works of demolition, 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 management of litter and construction waste, 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.

4) No development shall commence until a noise mitigation scheme has been submitted to and approved in writing by the Local Planning Authority demonstrating that appropriate standards are met for the approved use. Any approved noise mitigation measures shall be implemented prior to occupation and maintained thereafter.

Reason: In order to maintain reasonable living conditions for the future occupants of the proposed dwellings. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

5) No development, including site works of any description, shall take place on the site and before any equipment, machinery or materials are brought onto the site, until all the existing trees or hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres or such distance as may be agreed in writing by the Local Planning Authority. This fencing shall be maintained until all equipment, machinery, surplus materials and soil have been removed from the site. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left un severed. All in accordance with BS 5837:2012.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area.



6) 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 to be 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.

7) Notwithstanding any details submitted no development/works shall commence above slab level until a full schedule of all materials and finishes to be used for external walls and roofs of the building(s) and all windows and doors have been submitted to and approved in writing by the Local Planning Authority. Upon submission of the details to the Local Planning Authority samples of the proposed materials and finishes shall be made available for inspection on site, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule of materials and finishes, unless any alternatives are agreed in writing via a discharge of condition application.

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

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

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

9) No part of the development shall be first occupied until the car parking has been constructed in accordance with the Proposed site plan (10.00 REV E). These spaces shall thereafter be retained at all times for their designated purpose.

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

10) Prior to first use of the proposal hereby approved, the rooflights hereby approved shall have installed automatic dusk till dawn blinds (to block all internal light emissions) which shall be retained and maintained to an operational manner in perpetuity.

Reason: In accordance with dark skies policy, and to preserve the special character of the National Landscape and tranquil character of the countryside.

11) The following ecological mitigation measures shall be adhered to at all time during construction;

- a) Any brush, compost and/or debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.
- b) To ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop onsite. If this is not possible then a precautionary approach should be taken within the site with regards to reptiles. This involves any removal of scrub, grassland or ruderal vegetation to be done sensitively and done with a two phased cut.
- c) Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).
- d) A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs.
- e) Bird boxes should be installed on each of the dwellings.

Reason: In the interests of protecting biodiversity and wildlife.

12) The development hereby permitted shall not be carried out other than in full accordance with the Preliminary Ecological Appraisal (May 2022) and subsequent Bat Survey Report (August 2022) prepared by Hampshire Ecological Services Ltd.

Reason: In the interest of conserving and enhancing biodiversity

13) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Class A-E of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding area.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no external illumination shall be provided on the site other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed location, level of luminance and design of the light including measures proposed to reduce light spill. Thereafter the lighting shall be maintained in accordance with the approved lighting scheme in perpetuity.

Reason: In the interests of protecting wildlife and the character of the area.

15) Nothing in this permission shall authorise the felling, lopping, topping or uplifting of any tree on the site protected by a Tree Preservation Order **other than** as specified on the submitted application documents.

Reason: To clarify the extent of this permission.

## Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - PROPOSED SITE PLAN	10.00	E	21.08.2023	Approved
PLAN - PROPOSED FLOOR PLAN	10.01	C	21.08.2023	Approved
PLAN - ELEVATION (FRONT) - PROPOSED	10.02	B	21.08.2023	Approved
PLAN - PROPOSED LANDSCAPING DETAILS	10.03	D	21.08.2023	Approved
PLAN - STREET SCENE / CONTEXT PLAN - PROPOSED	10.04	B	21.08.2023	Approved
PLAN - DEMOLITION PLAN	10.05	B	21.08.2023	Approved
<b>PLAN - SWEEP PATH ANALYSIS OF AN 11M REFUSE VEHICLE</b>	<b>SP04</b>		<b>08.03.2024</b>	<b>Approved</b>
<b>PLAN - SWEEP PATH ANALYSIS OF A TRANSIT TYPE VEHICLE</b>	<b>SP05</b>		<b>08.03.2024</b>	<b>Approved</b>
<b>PLAN - SWEEP PATH ANALYSIS OF A TRANSIT TYPE VEHICLE</b>	<b>SP06</b>		<b>08.03.2024</b>	<b>Approved</b>

## INFORMATIVES

1) 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.

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

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, [sussex.surrey@english-nature.org.uk](mailto:sussex.surrey@english-nature.org.uk)) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

3) The Noise Mitigation Scheme can draw from the submitted Noise Assessment. It would be expected the scheme outlines mitigation details such as layout of rooms, glazing and ventilation specifications etc... The scheme would also offer predicted sound levels that are deemed acceptable to relevant guidance. During construction works it is recommended that a construction management plan is adhered to in order to control noise, dust, waste, traffic, lighting and other environmental impacts. The CMP should be secured by condition.

For further information on this application please contact Freya Divey on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RZQXVPERM6D00>