

Parish: Chichester	Ward: Chichester South
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CC/17/01712/FUL

Proposal 6 no. dwellings.


Site Whyke Lodge Residential Care Home 115 Whyke Road Chichester West Suss PO19 8JG

Map Ref (E) 486882 (N) 103821

Applicant Mr William Heslop

RECOMMENDATION TO PERMIT WITH S106



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1.0 Reason for Committee Referral

Red Card: Cllr Dignum Exceptional level of public interest

2.0 The Site and Surroundings

- 2.1 The application site comprises of a large detached building, currently in use as a residential care home, situated between Whyke Road and Whyke Close. The existing building contains a mix of extensions and alterations at two-storey level. The building is situated centrally within the site and access is taken from Whyke Road to the north east of the site, which leads to an area of parking in front of the building. Amenity space, laid to lawn, is located to the south of the building. A high level brick wall forms the boundary to Whyke Road and there is a fence to Whyke Close.
- 2.2 Whyke Close, to the west of the application site, comprises a mix of residential properties; houses, bungalows and flats, in varying architectural styles. Directly to the north of the site is a 2 storey semi-detached property, with a number of extensions to the rear. This property also benefits from access from Whyke Close. To the west there is a terrace of 2 storey properties, set back from the road with front gardens laid to lawn. To the south is an L shape, 2 storey block of flats which fronts Whyke Close with a residential car park set to the rear. To the east of the application site are Whyke Road and Langdale Avenue, a residential area characterised primarily by 2 storey semi-detached dwellings.

3.0 The Proposal

- 3.1 The proposal seeks planning permission for part demolition of the existing care home and to erect five residential dwellings and convert the remaining building to form one detached property. The existing access from Whyke Road would be utilised. The façade and majority of the existing building fronting Whyke Road would be retained and the western elevation made good. The property would be altered into a detached three bedroomed property (Unit A). It would have a ridge height of 8.4m and a 13m frontage to Whyke Road.
- 3.2 A terrace of three properties (Units B) at 2.5 storeys high would be located centrally within the site to the west of Unit A and set on a similar footprint to the existing buildings. These 3 bedroom dwellings would include bay windows at ground and first floor level, with pitched slate roofs, at a ridge height of 9m and chimneys to the flank walls. Each property would have a frontage of 5.1m. To the north there would be a parking area and the rear gardens would be located to the south of the buildings.
- 3.3 The western element of the development (Units C) would comprise a pair of 2 bedroom 2 storey semi-detached properties fronting onto Whyke Close, with undercroft tandem parking spaces accessed from the main parking courtyard. The properties would be separated from the four other dwellings by a high level curved brick wall. The pair of dwellings would be brick faced, with a hipped roof and ridge at 8.5m. The residential amenity space would be located to the north and south of the properties respectively.

3.4 The existing outbuildings to the north of the site, on the boundary to 116 Whyke Road would be retained to be used for parking, cycle and bin storage. The boundary treatment and entrance gates to Whyke Road would also be retained.

4.0 History

01/02569/TPO	PER	1 no. Horsechestnut tree, reduce and reshape crown by 20%, remove damaged, broken, & dead branches _ thin crown by 20%. 2 no. Lime trees- reduce and reshape crowns by 20%, raise crowns to five metres _ remove damaged, broken, & dead branches
17/00336/FUL	WDN	6 no. dwellings.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	YES
- Flood Zone 2	YES (partly)
- Flood Zone 3	NO

6.0 Representations and Consultations

6.1 Parish Council

No objection but the City Council would strongly suggest that the boundary to the garden of Plot A be slightly re-aligned in order to facilitate the provision of a continuous footpath on this side of the road.

6.2 Environment Agency

None received

6.3 WSCC Highways

WSCC as the Local Highway Authority has re-considered the above planning application to convert the existing residential care home into 6 residential dwellings. No objection is raised and no additional comments are made since the last application.

Comments from previous application still stand in addition to the following:-

- Cycle storage plans shows this to be covered and secure. There will be no changes made to the existing access and space is provided for a car to turn into the access off the main highway.

- Car parking is in line with current WSCC car parking guidance.
- Refuse collection is likely to continue as it already is from Whyke Road.
- An interrogation of the road casualty and collision database has shown there have been no accidents within the vicinity of the access in the last three years.
- Submission of a construction phase plan to ensure the public highway is kept free of obstruction at all times.

6.4 CDC Environmental Strategy Officer

No objection, however in summary the following comments were provided;

- demolition of the buildings should be undertaken by hand with careful stripping of the internal and external roof space in the presence of a suitably qualified ecologist and if a bat is found all works must stop and Natural England consulted.
- any lighting scheme should take into consideration the presence of bats in the local area,
- the lime trees and horse chestnut tree to be retained should be protected from harm during construction works
- to ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop onsite, and if not possible site clearance should be conducted during the season reptiles are active and the vegetation should be cut down to 10cm prior to any works taking place and then carefully cleared,
- 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, and
- due to the potential for hedgehogs onsite within the sheltered areas of shrub planting and around the boundary a precautionary approach should be undertaken to site clearance, deep holes or pits should be secured to prevent means of access and if any individuals are discovered, works should stop and the Ecological Clerk of Works must be contacted for guidance

Recreational Disturbance

This proposal will have an in-combination effect on the Solent Maritime SAC in combination with all other residential developments within the 5.6km zone of influence. In line with the Solent Disturbance and Mitigation Project Phase 3 report and Natural England's letter of the 31 May 2013(below) avoidance measures will need to be secured.

6.5 Third Party Objections

13 letters of objection have been received concerning;

- a) Loss of the care home
- b) Overbearing and loss of light impacts
- c) Gain of 6 new houses does not outweigh harm to loss of care unit
- d) Loss of employment
- e) Lack of pavement to east- wall impacts on pavement.

2 letters commenting on the following matters have been received;

- a) Care home is a valuable resource in locality

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Chichester.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 10: Chichester City Development Principles

Policy 12: Water Resources in the Apuldram Wastewater Treatment Catchment

Policy 33: New Residential Development

Policy 38: Local and Community Facilities

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 42: Flood Risk

Policy 47: Heritage

Policy 49: Biodiversity

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

National Policy and Guidance

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

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

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

- Approving development proposals that accord with the development plan without delay; and

- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

- 7.4 Consideration should also be given to paragraph 17 (Core Planning Principles), section 5, 6, 10, 11 generally.
- 7.5 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built.

As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

Other Local Policy and Guidance

7.6 The following Supplementary Planning Documents (SPD) are material to the determination of this planning application:

Planning Obligations and Affordable Housing SPD
Surface Water and Foul Drainage SPD- September 2016

7.7 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Promoting and developing a dementia friendly district
- Support communities to meet their own housing needs
- 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
- ii) Design and impact upon the character of surrounding area
- iii) Impact upon the amenities of neighbouring residential properties
- iv) Housing Mix
- v) Highway Safety
- vi) Ecological Considerations
- vii) Recreational Disturbance
- viii) Flooding

Assessment

- i) Principle of development

- 8.2 The application site lies within the Chichester Settlement Boundary, as defined by policy 2 of the Chichester Local Plan (CLP), where new development will be permitted provided it is otherwise in accordance with the CLP. Chichester is identified as a sub-regional centre and as such benefits from a range of services and facilities and is as a result considered to be a sustainable location for new residential development.
- 8.3 The proposal would result in the loss of a care home and as a consequence there have been a number of third party comments raising concerns regarding the demolition of the existing care home which is still operating. The care home provides accommodation for persons who require nursing or personal care and care due to dementia for adults over 65 years. The home accommodates 23 residents in 14 single and 5 shared rooms.
- 8.4 In determining this application officers have had regard to The Chichester in Partnership Community Strategy 2016-2029 which sets out in the Wellbeing section that Chichester would seek to promote a dementia friendly district. Officers have considered the loss of the care home and the third party comments received, there is however no planning policy within the adopted CLP which seeks to retain existing care homes and/or prevent their change of use or redevelopment as a matter of principle.
- 8.5 Planning applications should be determined in accordance with the Development Plan, unless other material considerations indicate otherwise, in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004. The CLP supports the development of new dwellings in this sustainable location and although, the Community Strategy and third party comments concerning the loss of the care home have been taken into consideration, on balance it is considered that these do not outweigh the policies within the CLP that support the proposed development. It would therefore not be reasonable to resist the proposed development on the basis of the loss of the care home on the site.
- 8.6 Overall it is considered that the principle of development in the settlement boundary accords with the provisions of the CLP and the National Planning Policy Framework (NPPF) and is therefore acceptable; this however would also be subject to its integration and visual relationship with the character and appearance of the area and the other material considerations set out below.
- ii) Design and impact upon the character of the surrounding area
- 8.7 Policy 33 and Policy 47 of the CLP seek to ensure that new residential development is in keeping with the visual amenities and character of the area, through its design, scale, mass, bulk and density.
- 8.8 The proposal seeks to retain the façade and part of the building that fronts onto Whyke Road. This is an attractive elevation which positively contributes to the character of Whyke Road and its retention is positive. The boundary treatment to Whyke Road and the existing trees covered by a TPO Area order to the eastern boundary are also shown to be retained.
- 8.9 The terrace of three properties would be situated centrally within the site, in line with the retained property. Whilst the height of 9m to the ridge of the terrace would be slightly higher than properties which front Whyke Road (8.5m), it is considered that, by reason of its positioning in the site, this height would not be perceptibly different from the wider area.

The proposed traditional architectural style, form, height and materials of the proposed terrace of 3 dwellings would result in a form of development which would be in keeping with the visual character and amenities of the locality, particularly from vantage points in Whyke Road.

8.10 Units 'C' were redesigned during the course of the application, due to concerns the initial proposals would result in a contrived form of development, with poor outlook and interlocking between properties. The development now comprises a pair of semi-detached properties two storey in height with simple elevations.

8.11 The design, form and layout of plots A and B would follow a similar footprint of the existing building and whilst there would be a change in design, the detailed design would reflect its context. Plots C have been designed to create a frontage onto Whyke Close, responding to the pattern of development in the street and also to plots A and B. Overall the detailed design of each plot would reflect its context and combine to create a high quality design which responds to the characteristics and constraints of the site and also the character and appearance of the area. The proposal would therefore comply with policy 10, 33 and 40 of the CLP.

iii) Impact upon the amenities of neighbouring properties

8.12 The terrace of 3 dwellings (Units B) would be set 13m from the boundary with the northern neighbour, with intervening garaging/outbuildings providing screening. To the south there would be a separation distance of 25m, with intervening gardens and parking areas. The terrace of dwellings would therefore not be overbearing or lead to unacceptable overlooking of neighbouring properties.

8.13 The pair of semi-detached dwellings at the western end of the site (Units C) would be set 5m to the south of the boundary with the neighbouring properties. There are 2 bedroom windows on the north elevation of the proposed dwelling adjacent to this boundary, one of which would partially overlook the rear garden of the neighbouring dwelling. The bedroom has a further west facing window and therefore it is considered reasonable to restrict the north facing bedroom window which would overlook the neighbouring property to be obscure glazed and fixed shut to prevent overlooking. This would be secured by a condition. The second window on this elevation is set further to the west and as such any views would be at an oblique angle and it is not considered it would result in significant adverse impacts in terms of overlooking from this window.

8.14 The repositioning of Units C, set closer to Whyke Close, would allow for the improved relationship with Units B. The amendments sought during the course of the application allow for a greater separation distance of 5m rear to side wall at 2 storeys' than the original proposal. This would assist in the mitigating against any interlocking or overbearing impacts to those units, with windows being at oblique angles to each other. The boundary treatment separating the Unit C development from Units B would be curved away from Units B, which would allow for improved outlook.

8.15 Overall it is considered that the proposed development, by reason of the positioning of the dwellings in the site, the height, scale and form of the buildings combined with the use of obscure glazing where necessary, would result in a form of development that would not result in any significant overbearing or overlooking impacts on neighbouring properties. This as a result would accord with policy 33 of the CLP.

iv) Housing Mix

8.16 Policy 33 of the CLP seeks to ensure an appropriate Strategic Housing Market Area Assessment (SHMAA) housing mix. The proposed development comprises a mix of two 2 bed units and four 3 bed units. It is considered that due to the smaller scale of the residential development, the development would provide for an appropriate housing mix, according with policy 33 of the CLP.

v) Highway Safety

8.17 The proposal seeks to utilise the existing access onto Whyke Road, with no changes to boundary treatments or visibility splays. WSCC Highways have raised no objection to the continued use of this access.

8.18 There would be provision of 9 car parking spaces, comprising both garages and designated parking spaces for units A and B. Unit C would have provision of 2 off road parking spaces for each property in tandem and there is unrestricted parking on the road. Parking provision would be sufficient for the requirements of a development of this scale, in accordance with the WSCC parking calculator. In addition to the parking provision, there would be turning space to allow egress from the site in a forward gear.

8.19 Comments have been received regarding the need for a pavement to the east of the site, where the boundary wall juts out. The applicant has been made aware of these comments, however further footpath provision is not required in order to make the development acceptable and it would be therefore be unreasonable for the Council as the local planning authority to insist on the relocation of the wall and provision of additional pavement as part of this application.

8.20 Overall it is considered that the proposal provides for adequate parking on site and access and egress can be achieved in a forward gear from the site.

vi) Ecological Considerations

8.21 There are no recorded protected species on the site. The Council's Environment Officer has recommended a precautionary approach to the demolition of buildings, in the event bats are found to be using the roofspaces. Additional precautions on site are also recommended to ensure the site remains unsuitable for reptiles; clearance works should be taken outside the nesting period for birds and protection of hedgehogs.

8.22 The site is covered by an area Tree Preservation Order (58/00145/TPO). It is proposed to remove category 5 C trees and 2 category U trees. The trees are in poor condition and it is considered that the loss of these trees to allow for the access road to units C, would not result in significant harm to the visual amenities of the area.

A landscaping condition is recommended to secure planting on site. Due to the positioning of the buildings they would fall outside the Root Protection Areas (RPA)s. Conditions would be required to secure the protection of the trees during the build process.

8.23 Overall the proposed development is not considered to result in adverse impacts on the natural environment and biodiversity and therefore would accord with policy 40 and 49 of the CLP.

vii) Recreational Disturbance

8.24 The site is located within the Chichester and Langstone Harbour Special Protection Area where any net increase in new dwellings would likely have a significant impact upon the Special Protection Area due to recreational disturbance. In order to mitigate the harm caused by the proposed development a financial contribution of £181 per dwelling is required in accordance with policy 50 of the CLP 2014-2029 and the Habitats Regulations. Whilst the site is in residential use, there are no dwellinghouses on the site and the net increase in dwellings means the requirement for mitigation applies. The scheme attracts a contribution of £1086.

8.25 The applicant has signed and completed a Section 106 Unilateral Undertaking and made payment for the full contribution required. Therefore the necessary mitigation has been provided and the requirements of Policy 50 of the CLP have been met.

viii) Flooding

8.26 The entrance to the site and the building to be retained to the east are partially located within flood Zone 2. In accordance with the National Planning Practice Guidance (NPPG) and NPPF, as this would result in the change of use of an existing building, a sequential test would not be required. The proposed new buildings would not lie within a flood zone, and therefore a sequential test is not required for these dwellings. The site would not be at significant risk of flooding. In the event of flooding, in accordance to guidance occupiers would be safe within their residential properties due to its location outside a flood zone. The proposal would comply with policy 42 of the CLP.

Community Infrastructure Levy

8.27 The proposal would be liable to CIL through any increase in floorspace and the creation of 6 dwellings. This is to be dealt with separately to this application process.

Conclusion

8.28 Based on the above assessment it is considered the proposal by reason of its scale, design, form and siting within the plot, with adequate provision for parking and impacts on neighbouring properties being able to be mitigated through the use of conditions and negotiations during the application process, are considered as a result, to comply with local and national development plan policies and the application is recommended for approval.

Human Rights

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

RECOMMENDATION

PERMIT WITH S106 subject to the following conditions and Informatives:-

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

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

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

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

3) No development shall commence on site, including demolition, until protective fencing has been erected around all trees, shrubs and other natural features not scheduled for removal in accordance with the recommendations of BS5837:2012. Thereafter the protective fencing shall be retained for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

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

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

5) **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 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.

6) **No development shall commence** until details of the proposed overall site-wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

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

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

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

8) **No part of the development hereby permitted shall be first occupied** until the covered and secure cycle parking spaces have been provided in accordance with the plans provided. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

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

9) Prior to first occupation of the dwelling(s) hereby permitted the associated boundary treatments shall be provided 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;

(a) scaled plans showing the location of the boundary treatments and elevations, and

(b) details of the materials and finishes.

Thereafter the boundary treatments shall be maintained as approved in perpetuity.

Reason: In the interests of protecting the amenity of neighbours.

10) Notwithstanding any indication shown on the approved plans, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) hereby approved, **the dwelling shall not be first occupied until** the most eastern bedroom window to the first floor in the north elevation of unit C1 hereby permitted shall be permanently;

(i) glazed with obscure glass with a glass panel which has been rendered obscure as part of its manufacturing process to Pilkington glass classification 5 (or equivalent of glass supplied by an alternative manufacturer), and

(ii) non-opening below 1.7 metres from the finished floor level of the room in which the window is installed.

Reason: To protect the privacy of the occupants of the adjoining residential property/ies.

11) The development hereby permitted shall not be first brought into use until a scheme detailing hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicles and pedestrian access and circulation areas; details and samples of the hard surfacing materials; and a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities and a programme for the provision of the hard and soft 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.

12) **No part of the development hereby permitted shall be occupied** until refuse and recycling storage facilities have been provided in accordance with the details as provided on the approved plans. 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.

13) Prior to first occupation of units A and B the cycle store as annotated on plan 10025-DPA-04 Rev A shall be brought into use and thereafter be maintained in perpetuity for that use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of providing adequate refuse and secure cycle storage and to encourage alternative transport methods.

14) Notwithstanding the details on the approved plans **Prior to the occupation of Unit C** the 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.

15) Notwithstanding the details on the approved plans the first occupation of Unit C details of covered and secure cycle parking shall first be submitted to and approved by the Local Planning Authority. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

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

16) The construction of the development and associated works shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 0700 hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays.

Reason: In the interests of residential amenity.

17) 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.

18) The proposed hard surface/s hereby permitted shall either be made of porous materials or provision shall be made to direct run-off water from the hard surface/s to a permeable or porous surface within the site and thereafter shall be maintained as approved in perpetuity.

Reason: To ensure adequate provision for surface water drainage and avoid discharge of water onto the public highway.

19) Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning ((General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no window(s) or door(s) shall be inserted without a grant of planning permission.

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

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) 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) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact Caitlin Boddy on 01243 534734