

Parish: Westhampnett	Ward: Goodwood
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WH/19/03202/FUL

Proposal	Change of use of part of adjacent travellers site to extend depot, replacement and upgrade of existing depot yard flood lighting, installation of commercial vehicle washing station and removal of existing modern wall that currently is on top of Tudor historic wall and replacement boundary treatments.		
Site	Chichester Contract Services Stane Street Westhampnett Chichester West Sussex PO18 0NS		
Map Ref	(E) 487970 (N) 106032		
Applicant	Mr Kevin Carter (CDC)	Agent	

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

1.1 Chichester District Council Application

2.0 The Site and Surroundings

2.1 The application site, known as Chichester Contract Services, comprises the District Council's waste depot, MOT testing centre, and offices. The site is located on the southern side of Stane Street, outside of any settlement boundary area, and therefore within the designation countryside. Despite the countryside location the site is surrounded by development and therefore the site and its surroundings have a largely commercial or suburban character.

2.2 The application site is approx. 0.9 hectares in size and forms the operating base for CDC's Refuse and Street Cleaning teams. In 2015 the western side of the site was redeveloped as a Gypsy and Traveller Transit Site (G&TTS) which is managed by West Sussex County Council (WSCC). Immediately south and east of the site is WSCC Waste Transfer Station. Adjacent to the western side of the site are existing commercial units.

3.0 The Proposal

3.1 Planning permission is sought for the change of use of part of the adjacent travellers' site to extend the depot premises, replacement and upgrade of existing depot yard flood lighting, installation of commercial vehicle washing station, and alterations to the northern boundary treatment.

3.2 The proposed vehicle wash would be situated to the western side of the site. The vehicle wash would comprise of a steel structure clad with grey aluminium cladding measuring approximately 24.5 m (w) x 8m (d) x 7.5 m (h).

3.3 Following amendments during the course of the application the new boundary treatment would now comprise 2.2 metre high, black powder coated steel railings, with brick piers to the western side of the frontage, and a post and rail fence with planting to the eastern side of the frontage. The existing wall to the western side of the frontage would be partially removed, with the lower section retained, as this is of historic value. The first 5 courses of the existing wall date to the Tudor period, this part of the wall would be retained and capped with a course of bricks to provide protection. The new boundary treatment comprising railings with brick piers would be constructed behind the retained wall.

3.4 The proposed upgrading to the lighting would include lights around the perimeter of the site and on buildings within its centre, both wall mounted and column mounted.

4.0 History

14/01447/FUL	PER	Erection of building for use as HGV testing centre, with new vehicular and pedestrian access from Stane Street.
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5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

Further comments (received 09.04.2020)

The Parish Council considers that there is insufficient capacity in the local foul sewerage network including the Coach Road Foul Water Pumping Station.

Whilst the comments, made by your Coastal Protection & Land Drainage Officer, Dominic Henly, on 7th April stating that it is for Southern Water to determine whether there is sufficient capacity in the local sewerage network, have been made in good faith, he probably does not live in the Parish and therefore has not had the benefit of local knowledge and experience of the continuing problems with over capacity of the sewer in Coach Road where there have been numerous incidents of foul sewage flooding requiring the necessity to overpump from the Coach Road Pumping Station.

Cllr Henry Potter is on public record criticising the performance of Southern Water for the considerable inconvenience and prolonged disruption that is caused whenever the sewers surcharge and cause foul water flooding in this area.

The Parish Council requests that a condition is imposed upon Southern Water to prevent any discharge from this development into the local foul sewer during times of foul water flooding, or when overpumping at the Coach Road Pumping Station, is required, or when the foul sewerage network is surcharging.

Original comments (received 02.03.2020)

1. The suggested Galvanised Steel Palisade Security Fencing A-B along Stane Street at 2.4m high is higher than the existing Travellers Site Wall at the eastern end, resulting in an overbearing effect, the use of that material has an industrial look, and overall it is out of keeping with the existing Brick and Flint Wall adjoining it. The Parish Council requests that this be moderated to a lower level with a more rural colour finish in order to provide security but blend in, or alternatively an extension to the existing wall in the same build materials be made to match in (along the line of the fence, not on top of the Tudor wall).

2. In the application form Section 15, the question "Are there trees or hedges on the proposed site" has been answered as No. On drawing PL.01 REV P2 LOCATION PLAN AND EXISTING AND PROPOSED BLOCK PLANS (A1) the substantial mature native hedge at the front of the property is clearly shown and it is confirmed that it exists as at today. However, on PL.02 REV P1 NORTHERN BOUNDARY DETAILS (A1) the hedge is shown as removed, due to the realignment of the parking bays. Whilst the suggested wooden post and rail Fencing C-D along Stane Street at 1.1m is an acceptable height and material/style, this fence is shown as instead of the hedge. The Parish Council requests that the hedge is replanted, either on the Stane Street side of the fence, or without a fence, in order to maintain wildlife habitat and the rural aspect of the area.

The Parish Council would ask that the view along Stane Street should be maintained in keeping with the rural characteristics of the area, the hedgerow opposite and the rest of Stane Street in that vicinity.

6.2 WSCC Local Highway Authority

The change of use of part of the traveller's site to extend the depot does not cause any material highway safety or capacity issues. As the site will be extended and as the associated works may attract an increase in construction, delivery vehicles to install the washing station, install new fencing and new lighting WSCC would like the applicant to provide a construction management plan, as per the condition attached.

6.3 CDC Archaeology

Further comments (received 08.04.2020) on revised northern boundary plan:

It should be possible to remove the modern superstructure to the Tudor wall whilst retaining the historic fabric. The new wall as proposed would appear to keep impact on it to a minimum, and I therefore agree that it would be suitable.

Original comments (received 17.02.2020)

The north wall of the old car park on the north side of the depot is mainly constructed of modern brickwork in cementitious mortar, but the lowest few (maximum five) courses visible from the pavement side are of brickwork typical of a late 17th century or earlier date, apparently set in lime mortar. Since the level of the tarmac surface on the inside of the wall is above that of the historic brickwork I agree that it should be possible to take the wall down to that level without adversely affecting the historic fabric. I also agree that it should be possible to erect a security fence avoiding the line of the historic wall and that this is best located by trial and error digging of fencepost holes.

6.4 CDC Environmental Protection - Noise and Lighting

Our department is accepting, in principle, of the development however it is evident that the following Conditions* shall have to be necessary stipulations of any permission, that is granted, in order to safeguard the neighbouring amenity.

*The operating hours of the vehicle wash shall be restricted to 08:00 to 16:00 Monday to Friday and 08:00 to 14:00 Saturday. No operation at any other time including Sundays, Bank Holidays and Public Holidays.

*The vehicle wash shall not give rise to a Rating Level that is above the background sound level at any neighbouring residential dwelling, or in excess of 5dB above the background sound level at any pitch at the neighbouring temporary Traveller's site. Representative background sound levels are set out in the Noise Impact Assessment (September 2019) submitted as part of the application (namely 50dB LA90 weekday and 45dB LA90 Saturday). The Rating Level shall be determined in accordance with BS4142:2014 "Methods for Rating and Assessing Industrial and Commercial Sound" and determined 1m from the façade of sensitive receptors.

*Prior to operation of the vehicle wash, a sound test shall be conducted, by a competent person, and the results of the sound test shall be submitted to and approved in writing by the Local Planning Authority. In order to meet approval the vehicle wash shall have to meet the noise levels specified in the above condition.

In an attempt to meet the noise level requirements, for the vehicle wash facility, it has been stipulated that a heavy duty plastic curtain will be installed on the entrance of the facility for operation on Saturday. If this attenuation measure is not adequate alone then other measures may be required, such as the installation of close boarded fencing to a section of the existing metal mesh structure, attached to the 2.1m high boundary wall. The sound testing will determine the level of noise mitigation that shall be required. If the sound level of the vehicle wash facility is indeed the same as the Horsham facility, used for assessment purposes, it is considered that a heavy plastic screen should suffice.

Our department looked to Guidance Notes for the Reduction of Obtrusive Light (GN01:2011) from the Institute of Lighting Professional when assessing the lighting scheme proposed for the development. Our department is accepting of the lighting scheme as detailed by MBL (16/09/2019) and submitted as part of this application. It is considered that details of the lighting scheme submitted, shall be a Condition of any permission that may be granted.

6.5 CDC Environmental Strategy

Bats

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.

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).

6.6 CDC Drainage

We have been asked to comment on discharge from the wash down area.

Ultimately it is for Southern Water Services (SWS) to determine whether there is sufficient capacity in the foul network, to ensure their system is suitably sized and that surface water does not enter their network. The applicant (CDC) has approval from SWS (letter on file) to discharge trade effluent to the foul sewer at a restricted rate (5 l/s) and a restricted volume / 24hr. The wash down water must be considered foul and so connecting to a public foul sewer is an appropriate means of draining the discharge.

Surface water however should not enter the foul network, but there is no indication that this is the case.

Given approval is in place, the applicant has demonstrated that the wash down area can be drained, and so we would have no objection to the proposal or require any additional condition.

6.7 WSCC Gypsy & Traveller Team Manager

None received

6.8 Third party objection comments

5 no. third party representations of objection have been received concerning the following matters:

- a) Insufficient capacity in the local foul sewerage network, particularly at time of heavy rainfall, to support the additional discharge from the development
- b) Requests a condition is imposed to prevent any discharge during times of high groundwater levels
- c) The hedgerow should be retained
- d) The northern boundary is out-of-keeping with the character of Stane Street
- e) The northern boundary treatment would have a detrimental impact upon the setting of St Peter's Church Grade II* Listed

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 Parish at this time.
- 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 36: Planning for Gypsies, Travellers and Travelling Showpeople
Policy 39: Transport, Accessibility and Parking
Policy 45: Development in the Countryside
Policy 47: Heritage
Policy 48: Natural Environment
Policy 49: Biodiversity

Chichester Local Plan Review Preferred Approach 2016 - 2035

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area is now well underway. Consultation on a Preferred Approach Local Plan has taken place and following detailed consideration of all responses to the consultation, it is intended that the Council will publish a Submission Local Plan under Regulation 19 early in 2021. Following consultation, the Submission Local Plan will be submitted to the Secretary of State for independent examination. It is anticipated that the new Plan will be adopted by the Council in 2022. However, at this stage, it is considered that very limited weight can be attached to the policies contained within the Local Plan Review.

National Policy and Guidance

- 7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2019), which took effect from 19 February 2019. 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.*

7.5 Consideration should also be given to the following paragraph and sections: 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment). The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

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

- 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 the surrounding area
- iii. Impact upon amenity of neighbouring development
- iv. Impact upon heritage assets
- v. Impact upon Gypsy and Traveller Transit Site (G&TTS)
- vi. Impact upon highway safety and parking
- vii. Ecological considerations
- viii. Drainage

Assessment

i. Principle of development

8.2 The application site is located outside any settlement boundary, where new development is restricted by policy 45 of the Chichester Local Plan (CLP) to development that meets a small scale local need. The proposed works would be contained within the existing site and supporting information submitted alongside the application explains why the proposed works are required to support the existing use of the site.

8.3 The large freighters and vehicles operated from the site are primarily used for the collection of recycling, domestic waste and garden waste. Freighters are used for both recycling and domestic waste collection on an alternate weekly basis and therefore it is necessary to ensure the vehicle hopper is clean and free from contaminants. Failure to remove all contaminants could impact upon the quality of recycling collected the following week and could lead to the rejection of the load. The proposed commercial vehicle washing station would allow for a more thorough cleaning of vehicles than is possible using the current hand-held washers. The proposed vehicle wash facility would enable the

full range of vehicle wash activities (cosmetic, pre-MOT and pre-service). In addition the replacement boundary treatment and lighting is required to upgrade the premises and to improve security.

8.4 It is considered that the applicant has demonstrated that the proposed works are necessary ensure the safe operation of the depot and to ensure that the waste and recycling service is provided efficiently within secure premises. The principle of development is therefore considered to be both sustainable and acceptable in accordance with policy 2 and 45 of the CLP.

ii. Design and impact upon the character of the surrounding area

8.5 Policy 45 of the Chichester Local Plan requires development in the countryside should be of a scale, siting, design and incorporate materials that would have minimal impact upon the landscape and rural character of the area. Paragraph 127(b) of the NPPF states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

8.6 One of the most visible parts of the proposal is the replacement front boundary treatment. The character of the area is considered to be semi-rural; although the northern side of Stane Street is typically bounded by soft boundary treatments it is notable that construction of the Magdwick Park, a major residential development to the west, is well underway and the southern side of Stane Street features a number of engineered boundary treatments, including a brick and flint wall approx. 2 metres in height to the neighbouring G&TTS.

8.7 Following revisions during the course of the application, the western part of the frontage would be bounded by a 2.2 metre high black powder coated steel "saxon" fence with brick piers. Along the eastern part of the frontage the existing hedge would be removed and replaced with a post and rail fence and replacement planting. It is considered that the proposed brick piers and "saxon" fencing would represent a high quality design for a security fence; providing visual consistency between the existing historic low brick wall to the northern boundary of the site and the higher boundary treatment to the neighbouring G&TTS. Also, the design would allow for views into the site and therefore would maintain a degree of openness whilst ensuring the site can be secure. It is therefore considered that the proposed boundary treatment would sit comfortably within the streetscene and it would not be harmful to the visual amenity or character of the locality. With regards to the proposed post and rail fence; a condition is recommended to ensure that replacement and supplementary planting to be provided is secured to enhance the streetscene and provide ecological benefit.

8.8 The proposed vehicle wash structure would be located towards the rear of the existing depot area close to the western boundary adjacent to buildings within the site and on the neighbouring building merchant's yard to the west. Although the structure would be relatively high at approximately 7.5m in its context and as a result of its siting it would not appear out of place, incongruous or overly prominent. It is therefore considered that this element of the proposal would not have any detrimental impact upon the street scene or the character of the locality. In addition it is considered that the conditions recommended would ensure that noise arising from the use of the facilities would not harm the semi-rural character of the surrounding area.

8.8 A lighting assessment has been provided in support of the application. This demonstrates that the locations and level of luminance of the replacement lighting proposed as part of the proposal is appropriate, and the proposal would not result in light spillage outside the site that would adversely impact upon the character of the rural area.

8.9 Subject to the recommended conditions it is considered that the proposal would not have a detrimental impact upon the character of the surrounding rural area, and therefore the proposal would be acceptable in this respect.

iii. Impact upon the amenity of neighbouring development

8.10 The National Planning Policy Framework in paragraph 127 states that planning decisions should create places that offer a high standard of amenity for existing and future users. Additionally, Policy 33 of the Chichester Local Plan includes a requirement to protect the amenities of neighbouring properties.

8.11 The neighbouring development potentially most impacted upon by the proposed development is the G&TTS which is located adjacent to the western boundary of the CDC Contract Services Site. The occupiers of the G&TTS are not permanent residents; rather it is typically occupied by members of the Gypsy and Traveller community for a short period of time, anywhere several days up to 13 weeks. Due to the proximity of the proposed jet wash area and vehicle washing station to the G&TTS, the impact of noise arising from these activities upon the residents of the G&TTS has been carefully considered.

8.12 The noise assessment provided in support of the application demonstrates that a noise level of no more than 5db above background noise level when recorded at the nearest pitch on the neighbouring G&TTS can be considered acceptable. Measures to militate against this noise impact include a limit on the hours of operation and installation of a heavy duty plastic curtain on a Saturday. The conditions recommended will require the noise impact to be assessed when installed, and if the noise levels exceed those deemed to be acceptable under BS4142:2014 "Methods for Rating and Assessing Industrial and Commercial Sound", then the wording of the condition will ensure further attenuation measures are provided until an acceptable noise level can be achieved.

8.13 The lighting assessment provided would comply Guidance Notes for the Reduction of Obtrusive Light (GN01:2011) from the Institute of Lighting Professionals and therefore it is not considered that the proposed lighting scheme would adversely impact upon the residents of the neighbouring G&TTS.

8.14 It is considered that the information submitted demonstrates that the impacts of the proposed development could be appropriately mitigated to ensure that the amenities of neighbouring properties would be safeguarded. The proposal would therefore be acceptable in this respect.

iv. Impact upon heritage assets

8.15 Part of the existing front boundary wall contains historic fabric, and it is considered that due to the age of this fabric the old part of the structure constitutes a non-designated heritage asset. Paragraph 197 of the NPPF 2019 and policy 47 of the Chichester Local Plan seeks to protect non-designated heritage assets.

8.16 The bottom 5 no. courses of the existing low brick wall to the northern boundary of the site are considered likely to date from the Tudor period and are a remnant of a former Tudor development on the existing CDC Contract Services Site. The application proposes these courses are retained and capped by a modern brick course to prevent them from damage. The new boundary structure would be located slightly behind the partially retained wall. The Council's Archelogy Officer has advised that these works to the wall are considered to be appropriate by the CDC. It is considered that the proposal would protect the non-designated heritage asset and therefore the proposal accord with national and local policy in this respect.

8.17 Consideration has also been given to the impact of the proposal upon the setting of the Grade II* Listed St Peter's Church located on the northern side of Stane Street. The Church is well-set back from Stane Street, although views are obtainable from the application site. The LPA has a statutory duty to consider the impact upon the setting of a listed building in accordance with the s. 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended and it is considered that due to the degree of physical and visual separation and the nature and scale of the proposed works that the proposals would not have a detrimental impact upon the setting of the heritage asset. The proposal therefore also accords with national and local planning policy in this respect.

v. Impact upon Gypsy and Traveller Transit Site (G&TTS)

8.18 The neighbouring G&TTS site is managed by WSCC on behalf of CDC. Officers have engaged with WSCC prior to submitting the application in order to gain support for the proposed change of use of a small area of the G&TTS. The area subject to change of use is currently serves as the bin storage area as well as an area allocated as a touring trailer bay for pitch no. 9 (as approved under 14/03480/NMA). It is not considered that the loss of a 1 no. bay for a touring trailer would adversely impact upon the capacity of the transit site, as pitch no. 9 would still have sufficient space for 1 no. caravan and 2 no. vehicles. Additionally, it is understood that measures are in place to relocate the bins storage area to elsewhere in the site. It is therefore considered that the proposal would not result in a loss of any transit pitches available, and it is noted that no objections have been received from WSCC regarding the proposed development. Therefore, it is considered that the proposal would be acceptable in this respect.

vi. Impact upon highway safety and parking

8.19 The overall parking provision within the site would remain unaltered as part of the proposal. The change of use of part of the traveller's site to extend the depot does not cause any material highway safety or capacity issues. A condition requiring details of a proposed construction management plan is recommended in accordance with the comments of WSCC Highways.

8.20 It is therefore considered that this proposal would not 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 109), and that there are no transport grounds to resist the proposal.

vii. Ecological considerations

8.21 The proposal is not considered likely to have any adverse impact upon any known ecological habitats. In accordance with the comments made by the CDC Environmental Strategy Officer, it is considered that the lighting would be sufficiently well contained within the site to ensure that it would not have an adverse impact upon bats in the surrounding area. A proposed landscaping condition is recommended to ensure net ecological gain.

viii. Drainage

8.22 As part of works to upgrade the existing site new hard surfacing and a drainage improvements are being carried out. These works do not require a planning application as they constitute permitted development under Class A, Part 12 of the General Permitted Development Order 2015 (as amended). During the course of the application concerns have been raised about the increased amount of water discharged to the system as a result of the new wash down area. Supporting information has been submitted to demonstrate that CDC has obtained Discharge Consent from Southern Water for the waste water from the wash down area, and the responsibility of Southern Water to maintain network capacity as the body responsible for foul drainage. Based on the information provided, the Council's drainage engineer is satisfied that the necessary consent has been received to ensure that the proposed wash down area would be provided with a suitable means of drainage. Therefore the proposal would not result in an increased risk of flooding within the site or on adjacent sites, and as such the proposal would be acceptable in this respect.

Conclusion

8.23 Based on the above it is considered that the proposal would support the increased efficiency of the operation of CDC's services at the site. The proposal would not be harmful to the rural character of the area and the impact upon the amenity of neighbouring occupiers would not be adverse. The change of use of the G&TTS would not reduce the capacity of the transit site. The proposal complies with development plan policies 1, 2, 36, 39, 45, 47, 48 and 49 and therefore the application is recommended for approval.

Human Rights

8.24 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

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 take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- a) anticipated number, frequency and types of vehicles used during construction,
- b) method of access and routing of vehicles during construction,
- c) method of access and routing of vehicles during construction,
- d) the parking of vehicles by site operatives and visitors,
- e) the loading and unloading of plant, materials and waste,
- f) the storage of plant and materials used in construction of the development,
- g) the erection and maintenance of security hoarding,
- h) the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- i) details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

4) Prior to operation of the vehicle wash (comprising the jet wash area and vehicle wash), a sound test shall be conducted, by a competent person, and the results of the sound test shall be submitted to and approved in writing by the Local Planning Authority. In order to meet approval, the vehicle wash (comprising the jet wash area and vehicle wash) shall not give rise to a Rating Level that is above the background sound level at any neighbouring residential dwelling, or in excess of 5dB above the background sound level at any pitch at the neighbouring temporary Traveller's site. Representative background sound levels are set out in the Noise Impact Assessment (September 2019) submitted as part of the application (namely 50dB LA90 weekday and 45dB LA90 Saturday). The Rating Level shall be determined in accordance with BS4142:2014 "Methods for Rating and Assessing Industrial and Commercial Sound" and determined 1m from the façade of sensitive receptors. Once installed, the vehicle wash shall at no time exceed the above permitted noise levels.

Reason: to protect the amenities of the area and neighbouring properties

5) 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 approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. 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. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: 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.

6) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

7) The lighting hereby approved shall be installed in strict accordance with the submitted Lighting Assessment report compiled by MLB Ltd dated 16.09.2019. The lighting hereby approved shall be maintained in an operational manner thereafter in perpetuity. Should the lighting become damaged or faulty then it shall be replaced by a light of the same luminaire luminous flux.

Reason: To protect the amenities of the surrounding area

8) Notwithstanding any submitted plans or documents, the operating hours of the vehicle wash shall be restricted to 08:00 to 16:00 Monday to Friday and 08:00 to 14:00 Saturday. No operation at any other time including Sundays, Bank Holidays and Public Holidays unless otherwise agreed in writing with the LPA.

Reason: To protect the amenities of neighbouring properties

9) The vehicle wash (comprising the jet wash area and vehicle wash) shall not give rise to a Rating Level that is above the background sound level at any neighbouring residential dwelling, or in excess of 5dB above the background sound level at any pitch at the neighbouring temporary Traveller's site. Representative background sound levels are set out in the Noise Impact Assessment (September 2019) submitted as part of the application (namely 50dB LA90 weekday and 45dB LA90 Saturday). The Rating Level shall be determined in accordance with BS4142:2014 "Methods for Rating and Assessing Industrial and Commercial Sound" and determined 1m from the façade of sensitive receptors.

Reason: In the interests of the amenity of the area and neighbouring occupiers

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 - Location Plan and Existing and Proposed Block Plans (A1)	PL.01	P2	14.01.2020	Approved
PLAN – Vehicle wash general arrangement	PL.03	P1	03.01.2020	Approved
PLANS - Plans PLAN – Northern Boundary Details	PL.02	P2	07.04.2020	Approved

INFORMATIVES

1) 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 William Price on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q3IXU5ER0UX00>