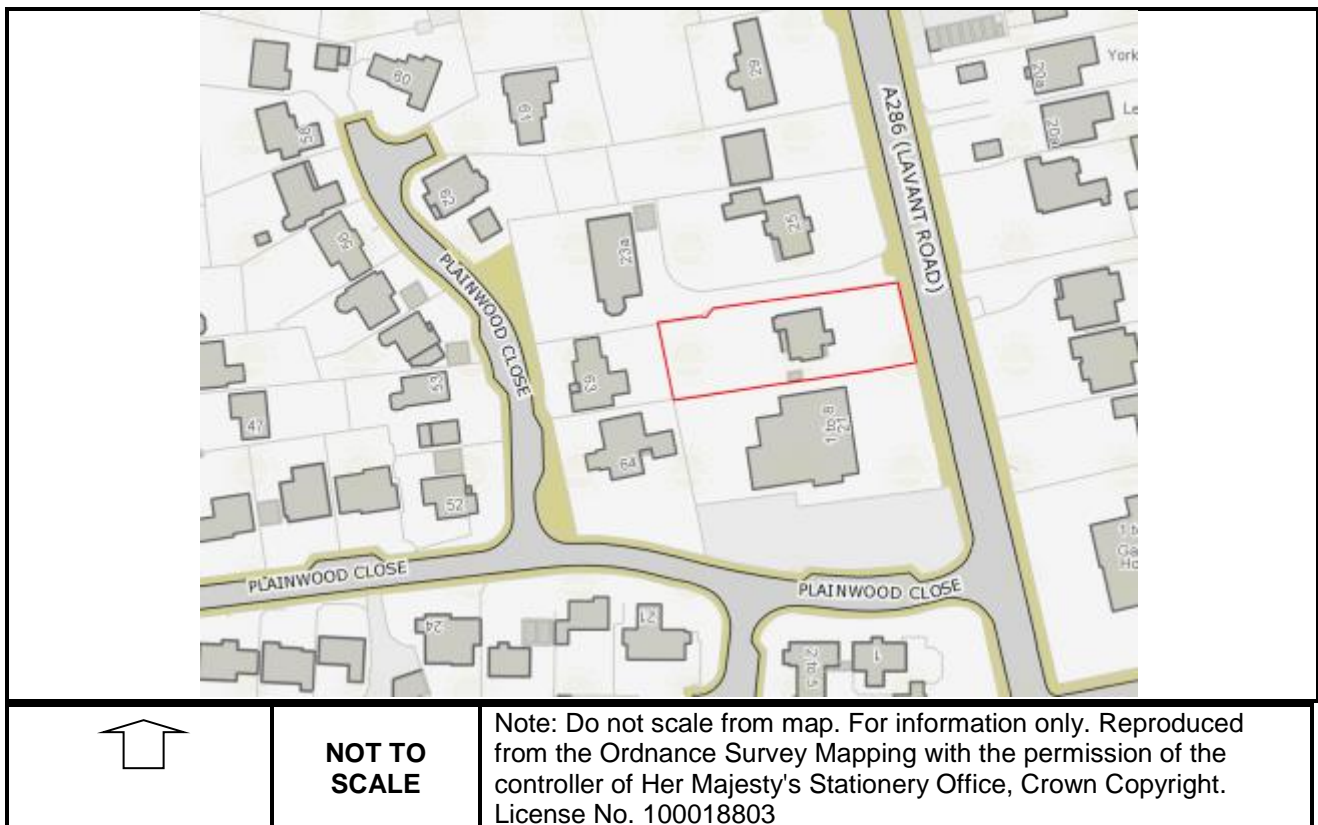


Parish: Chichester	Ward: Chichester North
-----------------------	---------------------------

**CC/19/03008/FUL**

<b>Proposal</b>	Erection of 5 no. flats and parking, landscaping and associated works.		
<b>Site</b>	23 Lavant Road Chichester PO19 5RA		
<b>Map Ref</b>	(E) 485764 (N) 106960		
<b>Applicant</b>	77 Property Ltd	<b>Agent</b>	Mrs Kerry Simmons

**RECOMMENDATION TO DEFER FOR SECTION 106 THEN PERMIT, SUBJECT TO NO OBJECTION FROM NATURAL ENGLAND REGARDING AN APPROPRIATE ASSESSMENT**



## 1.0 Reason for Committee Referral

1.1 Red Card: Cllr Dignum Exceptional level of public interest

## **2.0 The Site and Surroundings**

- 2.1 The application site is located on the western side of Lavant Road to the north of Chichester City, within the settlement boundary. The area is characterised by large residential dwellings set in good sized plots, with mature trees, set back from the main road. There are a number of trees that cover the front of the site.
- 2.2 The existing property is served by a single access onto Lavant Road, leading to a gravel parking area to the front of the property. The 2 storey property is double fronted, with an integral garage. To the rear there is a good sized garden, laid to lawn with mature trees and vegetation forming the boundaries to the site. Directly to the north and east are single residential properties and to the south there is a new flatted 2.5 storey development located on the corner of Lavant Road with Plainwood Close. There are also other examples of flatted development close to the application site on Lavant Road.

## **3.0 The Proposal**

- 3.1 This application seeks planning permission for the demolition of an existing dwelling and the construction of a two storey building comprising 5 no. flats, (1 two bed and 4 three bed). The application has been amended during the determination of the application, reducing the ridge and eaves height of the building and reducing the rear element to single storey in part.
- 3.2 The proposed building would have a ridge height of 9.3 metres, with eaves at 5.1 metres, a width of 15.3 metres and a depth of 22.8 metres. The main part of the building would be two storeys, with hips roofs and a gable to the front. To the rear is a proposed part two storey and part single storey element with a balcony. This element is set in from the main part of the building, with hipped roof lines.
- 3.3 The rear garden would provide an amenity area for the proposed flats, while to the side of the building there would be storage for bins and cycles. To the front of the building would be parking spaces for 9 cars and further bin storage. The access to the site would be retained as existing to ensure the retention of the existing trees along the front boundary.

## **4.0 History**

00/03151/TPO	REF	To fell one Pine. Topping of Fir to 35 feet (From current height of approx 55 feet).
02/00396/TPO	PER	To fell 1 no. Douglas Fir tree.
88/00906/CC	REF	To fell 1 Scots Fir and 1 Pine.
78/00389/CC	PER	Two storey extension.
75/00525/CC	PER	First floor extension.
98/00372/DOM	PER	Close boarded, 2 metre fence inside boundary hedge and enlarge existing enclosed part of rear veranda.

09/05029/DOM	PER	Demolition of sunroom, erection of garden room and entrance canopy.
18/03320/FUL	REF	Redevelopment of the site with a terrace of 2 no. 4-bed and 2 no. 3-bed dwellings, parking, landscaping and associated works.
19/02574/OUT	PCO	Demolition of existing dwelling replaced with a terrace of 3 no. dwellings, parking, landscaping and associated works.
01/00071/REF	DISMIS	To fell one Pine. Topping of Fir to 35 feet (From current height of approx 55 feet).
19/00041/REF	DISMIS	Redevelopment of the site with a terrace of 2 no. 4-bed and 2 no. 3-bed dwellings, parking, landscaping and associated works.

## 5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	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**

Strong Objection. The proposal would represent overdevelopment of the plot. The form, mass and bulk of the building, the intensity of use of the plot and the associated level of parking, hardstanding and other residential paraphernalia (such as bin and cycle storage) would unacceptably harm the character of the area. This is especially the case when the cumulative impacts of such developments (including that next door) are taken into account. Sustainability measures such as electric car charging points and solar panels should be provided for all new housing developments.

### 6.2 **WSCC Local Highway Authority**

#### Summary

This proposal is for the demolition of an existing dwelling and erection of 3 replacement dwellings. The site is located on Lavant Road, an A-classified road subject to a speed limit

of 30 mph in this location. This application is outline with all matters reserved except access.

### Access and Visibility

The existing access will be utilised for this development. The access demonstrated in the plans has an approximate width of 4.8m, which is sufficient for the use as a shared access. The access is to be gated, with inward opening gates set back approximately 6.3m from the edge of the carriageway. This will allow for vehicles to remain off the carriageway whilst the gates are in operation.

There are no apparent visibility issues at the existing access. Visibility splays of 2.4m x 43m in both directions have been demonstrated by the applicant. This meets the minimum requirements for visibility for 30 mph roads. Pedestrian visibility splays of 2m x 2m have also been demonstrated in the plans.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents resulting from road layout within the vicinity of the access. Therefore there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

### Parking and Turning

Whilst a reserved matter, an indicative site layout plan has been provided. 2 car parking spaces are proposed per dwelling and an additional 2 spaces for visitors, totalling to 8 spaces for the site.

The WSCC car parking demand calculator anticipates that based upon 3 x 3-bedroom dwellings, a minimum of 7 parking spaces will be required for this location. The WSCC car parking demand calculator anticipates that based upon 3 x 4-bedroom dwellings, a minimum of 9 parking spaces will be required. This can be demonstrated at the reserved matters stage. Weight is given to the fact the site is situated in a sustainable location.

The parking spaces demonstrated in the plans meet minimum specifications of 2.4 x 4.8m as set out in Manual for Streets (MfS). Sufficient space has been demonstrated for vehicles to turn on site and exit onto the A-classified road in a forward gear. Details of parking and turning can be secured via condition.

Regarding cycle parking, a shared cycle store is proposed. Under WSCC parking standards, at least 2 cycle parking spaces should be provided for residential dwellings with 3 or more bedrooms. The inclusion of cycle parking helps promote the use of sustainable alternative modes of transport to the private car.

### Sustainability

The site is situated in a sustainable location within walking distance of shops and cycle distance from schools. Nearby bus stops on Lavant Road offer half hourly connections between Chichester and Midhurst. Chichester Train Station is approximately 9 minutes from the site by cycle.

## 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 109), 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:

Vehicle parking and turning

### 6.3 Third party objection comments

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

- a) The application would be out of keeping with the character of the area
- b) The proposal would harm the amenity of neighbouring properties.
- c) The proposal would be an over development of the site.
- d) Insufficient car parking is proposed.
- e) Insufficient local services
- f) The proposal would result in decrease in highways safety
- g) The proposal is of poor design

## 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 Chichester 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 9: Development and Infrastructure Provision  
Policy 33: New Residential Development  
Policy 34: Affordable Housing  
Policy 39: Transport, Accessibility and Parking  
Policy 40: Sustainable Design and Construction  
Policy 42: Flood Risk and Water Management  
Policy 47: Heritage  
Policy 49: Biodiversity  
Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas

## 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:

- i) approving development proposals that accord with an up-to-date development plan without delay; or
- ii) 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:
  - a) 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
  - b). *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: Sections 1, 2, 4, 5, 9, 12 and 14. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

7.6 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

7.7 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

7.8 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:

- Support communities to meet their own housing needs
- 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
- ii. Design and impact upon character of the surrounding area
- iii. Impact upon amenity of neighbouring properties
- iv. Impact upon highway safety and parking
- v. Biodiversity and Sustainability
- vi. Drainage
- vii. Trees
- viii. Impact on the Chichester and Langstone Harbours SPA
- ix. Nitrates

### Assessment

- i. Principle of development

8.2 The application is located within the settlement boundary of Chichester, which Policy 2 of the Chichester Local Plan identifies as a sub-regional centre where sustainable development, infrastructure and facilities will be accommodated which in terms of scale, function and character support the role of the settlements.

8.3 The application site has been subject to a recent refusal and dismissal at appeal (18/03320/FUL) which sought for the redevelopment of the site with a terrace of 2 no. 4-bed and 2 no. 3-bed dwellings, parking, landscaping and associated works. The application was refused on two grounds, the first being that the size, scale, designs and layout, would result in a form of development that would appear cramped within the plot and would result in the unsympathetic subdivision of the site. The second reason related to the need for mitigation of recreational disturbance within the Special Protection Area.

The Planning Inspector considered the main issue was the impact of the proposal on the character and appearance of the area.

8.4 The application proposes to increase the number of residential units on the site which would make efficient use of the land, within a suitable location. For these reasons the principle of the development is considered acceptable.

ii. Design and impact upon character of the surrounding area

8.5 Policy 33 of the LP refers to new residential development and sets out that proposals must meet the highest standards of design and a high quality living environment in keeping with the character to the surrounding area and its setting in the landscape; in addition that its scale, form, massing and siting, height and design respects and enhances the character of the surrounding area and site.

8.6 The application site is located on the western side of Lavant Road and is current occupied by a single detached two storey property. Lavant Road is largely a residential with a mixture of styles and designs of dwellings, which are generally set back from the road, broadly in line, and detached. To the south of the application site, permission was granted to demolish the existing dwelling and construct a new building containing 8 flats under application 18/00769/FUL, this development has been completed.

8.7 During the course of the application the proposals have been amended. The amendments to the building include; reducing the ridge and eaves height of the building; a reduction in size at the rear of the building to a part single storey to the rear and removal of a gable to the front of the building. The application now also seeks to retain the existing access, rather than moving it, as originally proposed.

8.8 The proposed building would be located broadly in the same position of the existing dwelling, albeit on a larger footprint. Its siting would be in keeping with the pattern of development along this side of Lavant Road, with the building set back from the road frontage. The building would also be set away from the north boundary by 3 metres and from the southern boundary by 2 metres, which is in keeping with the surrounding properties. To the front of the building 9 no. parking spaces are proposed, retaining the current access point. As the access point is off-centre, the majority of the parking spaces would not be visible from along the public road. In addition the majority of the landscaping to the front would be retained, further softening the building and amount of parking.

8.9 The design of the building incorporates art and crafts elements which reflects the existing two properties to the north. The proposal would include clay tile hanging at part of the first floor with painted render and black timber. To the ground floor would be brick, with a tile roof. The proposal has been amended since its submission removing one gable to the front of the building replacing this with a dormer. This reduces the mass of the front of the building, with hip roofs to the side. The two-storey depth of the building has been reduced to partly single storey to the rear, with a drop in the ridge line of the rear two-storey element. Roofs to the rear are also hipped, reducing the massing of the building. The scale, form and design of the building is such that it would appear similar in its form and scale to that of a detached large dwelling. There would be a single door to the front of the building which would allow access to the 5 flats. It is considered that although the number of units on the site would increase, the proposal represents a sensitive re-development of



the plot resulting in a more efficient use of the land without harm to the verdant and characterful nature of the site and its surroundings.

8.10 It is therefore considered the proposal would be in keeping with the character of the area, in terms of its design, scale and form and as such is considered acceptable. The proposal therefore accords with policy 33 of the Chichester Local Plan.

iii. Impact upon amenity of neighbouring properties

8.11 The NPPF states in paragraph 127 that planning should ensure a good quality of amenity for all existing and future occupiers of land and buildings, and policy 33 of the CLP include requirements to protect the amenities of neighbouring properties.

8.12 The properties most impacted by the proposal would be to the north, west and south of the application site. The property to the north of the application site would be 12 metres from the proposed building with an access between. Given this distance and window positions it is not considered the proposal would have a harmful impact to neighbouring amenity of its properties. The property to the west is 27 metres from the proposed building, given this distance it is not considered the proposal would impact their amenity. The building to the south is a block of flats, which would be 5.5 metres from the proposed building and broadly in-line. Given the window position on both the proposed building and the neighbouring building, the proposal would not result in an unacceptable degree of overlooking. Furthermore, given the siting of the proposed building in relation to the building to the south, the proposal would not have in an overbearing impact.

iv. Impact upon highway safety and parking

8.13 Policy 39 of the Chichester Local Plan seeks to ensure that new developments do not result in residual cumulative impacts which are severe and ensure a safe and adequate means of access for all modes of transport.

8.14 The WSCC Highway Authority has been consulted and no objection has been raised. Conditions have been suggested and these are included in this recommendation. The applicant proposes to widen the existing access to 4.8m in width. The Highways authority has advised that the applicant has demonstrated vehicular visibility splays of 2.4m x 43m in both directions for the proposed access. This meets the minimum requirements for visibility for 30 mph roads. In addition the Highways authority has advised that the applicant has also demonstrated pedestrian visibility splays of 2m x 2m for the access. The applicant has demonstrated nine car parking spaces for this development. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require nine car parking spaces. Therefore, the proposal provides sufficient amount of parking.

8.15 The submitted plans show 4 no. electric charging points to the parking area to the front of the proposed dwelling, a condition is recommended to ensure these are provided prior to occupation. Five purposely designed cycle storage units are proposed to the sides of the dwelling, these again can be secured prior to occupation by condition.

8.16 Therefore, the proposal would accord with policies, 8 and 39 of the CLP which seeks to ensure that new development has acceptable parking levels, and access and egress to the highway.

v. Biodiversity and Sustainability

8.17 Policy 40 of the CLP concerns Sustainable Design and Construction for all new dwellings and determines that evidence will be required by the developer to demonstrate that all 10 criteria have been considered, although this should be proportionate to the scale of development. The applicant is in the process of considering a number of options for the sustainable construction of the dwelling. In addition, the applicant is content to accept a condition requiring the installation of an electric car charging point in accordance with a scheme to be approved in writing by the Local Planning Authority.

8.18 A condition is recommended requiring a scheme detailing the full sustainable design and construction measures to be included alongside conditions for landscaping, ecology enhancements and the provision of electric car charging points. Subject to these conditions it is considered that the proposal would protect and enhance the environment and the proposal would therefore comply with policy 40 of the CLP.

vi. Drainage

8.19 Policy 42 of the Chichester Local Plan seeks to ensure that new development is not at risk of flooding and it would not result in a net increase of surface water runoff. The application site is located within flood zone 1 and proposes to connect to the mains foul sewage and a soakaway for surface water. This is considered acceptable in this regard and accords with policy 42 of the Chichester Local Plan.

vii. Trees

8.20 The north east corner of the site has 7 trees that are subject to a tree preservation order (TPO) comprising of a spruce, pine, lime, cherry, laburnum and scots fir. A tree survey has been submitted to assess the quality and contribution of these trees and the appropriate mitigation. In addition a number of trees within the rear garden and around the edges of the site have been assessed with regards to their quality and suitability for retention.

8.21 The north eastern corner of the site would comprise of parking areas for the new development and all of the TPO trees would be retained. A number of mitigation measures to retain the trees are proposed including protective fencing and sensitive surfacing material. These mitigation measures are considered to be acceptable and appropriate and would safeguard their future health and amenity. With regards to the remaining trees, in particular the rear gardens, a number of trees are to be removal however it has been demonstrated that these trees are of a low amenity value. Coupled with a proposed landscaping scheme it is considered that the proposals would adequately protect those trees worthy of retention for their contribution to the verdant character of the area. On this basis the proposals are considered acceptable and would comply with Policy 48 of the Local Plan.

viii. Impact on the Chichester and Langstone Harbours SPA

8.22 The site lies within 5.6km of the Chichester and Langstone Harbours Special Protection Area (SPA), where new residential development is likely to have significant environmental impacts on this internationally important designation. Local Plan Policy 50 relates to development and disturbance of birds within this internationally designated Special Protection Area. Effective mitigation, against potential recreational impact arising from new

residential properties, needs to be provided. In accordance with Policy 50, the Recreational Disturbance of Birds in SPAs Guidance 2019, and as recommended by Natural England, a financial contribution to the established joint mitigation scheme is appropriate in this instance.

8.23 The most up-to-date fees are set-out within the Council's Recreational Disturbance of Birds in SPAs Guidance 2020. For residential development within the Chichester and Langstone Harbours Special Protection Area (SPA) Zone of Influence buffer zones, fees are based the number of bedrooms per unit. The applicant has agreed to pay the fee and to signed a Unilateral Undertaking. The proposal is therefore considered to provide appropriate mitigation against impacts on the SPA, and therefore would not be detrimental to the SPA in accordance with Local Plan Policy 50 and local and national guidance. An appropriate assessment has been carried out and the mitigation proposed is acceptable.

ix. Nitrates

8.24 The proposal comprises new development with overnight accommodation, where the development will connect to the Apuldram Wastewater Treatment Works (WwTW) and therefore the treated effluent from the development will eventually discharge into a European or internationally designated protected site, with the potential for harm to be caused to those sites by the overall increase in nitrate levels. It is Natural England's view that the cumulative increase in nitrate levels from development is likely to have a significant effect on such designated sites. This is therefore directly connected to the increase in wastewater from the development.

8.25 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.

8.26 The LPA has followed the methodology provided by Natural England 'Advice on Achieving Nutrient Neutrality for New Development in the Solent Region' and established the nitrate calculations for this proposed development. This calculation has informed an Appropriate Assessment. Natural England's methodology sets out how to achieve nutrient neutrality and thereby address the existing uncertainty surrounding the impact of new development on designated sites. Specifically Natural England's advice sets out the methodology on how to calculate the nutrient budget generated from the development. Where the size of the site and the use of then is not changing, which is the case in this instance it is not necessary to calculate the existing nitrogen from the current land use.

8.27 The nutrient budget generated from the development is 2.35kg/TN/yr and therefore represents a nitrogen surplus from the WwTW and so requires mitigation to achieve nitrogen neutrality. In order to achieve nitrogen neutrality, appropriate mitigation measures that would remove a minimum of 2.35kg/TN/yr needs to be secured to ensure that at the time of the LPA undertaking the Appropriate Assessment it is certain that the neutralising nitrogen benefits will be delivered in the long term. In this instance it is proposed to secure this mitigation 'indirectly' by permanently converting agricultural land (with higher nitrogen loading) elsewhere within the catchment area to alternative uses with lower nitrogen loading. By changing the land use in perpetuity, this will in effect neutralise the

additional nutrient burden that will arise from the proposed development, achieving a net zero change at the designated sites in a timely manner.

8.28 Subject to Natural England's approval of the Appropriate Assessment undertaken by the Local Planning Authority, this application would accord with Policy 12 of the CLP.

### Conclusion

8.29 Based on the above it is considered the principle of additional residential units on the site are acceptable, furthermore the scale and form of the proposal is acceptable in terms of the character of the area and impact to neighbouring amenity. The proposal therefore complies with development plan policies and NPPF therefore the application is recommended for approval.

### Human Rights

8.30 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 NO OBJECTION FROM NATURAL ENGLAND REGARDING AN APPROPRIATE ASSESSMENT and 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 until a strategy outlining details of the sustainable design and construction for all new buildings, including water use, building for life standards, sustainable building techniques and technology, energy consumption maximising renewable resources, and how a reduction in the impacts associated with traffic or pollution will be achieved including but not limited to charging electric vehicles, has been submitted to and approved in writing by the Local Planning Authority. This strategy shall reflect the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029. The approved strategy shall be implemented as approved prior to first occupation unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change. These details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

4) Prior to first occupation of the dwelling hereby permitted details of the existing (those to be retained) and proposed boundary treatments and walled garden shall be provided in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include;

- (a) a scaled site plan showing the location and lengths of the boundary treatments and scaled elevations,
- (b) details of the materials and finishes, and
- (c) provision of gaps within boundary treatments to allow small mammals to move freely

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

Reason: In the interests of protecting visual amenities and to conserve and enhance the character and appearance

5) The development hereby permitted shall not be first brought into use until full details of the hard and soft landscaping have been submitted to and agreed in writing by the Local Planning Authority. The details shall include a scaled site plan indicating the planting scheme for the site showing the; schedule of plants and positions, species, plant sizes (at time of planting) and proposed numbers/densities. In addition, the scheme shall include details of all existing trees and hedgerows on the land including details of any to be retained, together with measures for their protection during the course of the development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The landscaping scheme shall also include full details of any proposed hard landscaping showing any external hard surfaces and their positions, materials and finishes. The works shall be carried out in full 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 and to conserve and enhance biodiversity.

6) No part of the development hereby permitted shall be first occupied until the vehicle parking 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.

7) Notwithstanding the details provided, no part of the development hereby permitted shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details that shall first have been 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.

8) Notwithstanding the information provided 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) The building hereby permitted shall not be occupied unless and until a minimum of 3 electric car charging points have been provided and made operational in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the car charging points shall be maintained and remain operational in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging the use of sustainable modes of transport.

10) Notwithstanding any details submitted no development/works shall take place above slab level 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 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.

11) 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.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) 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 residential amenity

**13)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.

## 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 - Existing Location Plan	300			Approved
PLAN - Proposed Ground Floor Plan	304		05.12.2019	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED BLOCK PLAN (A3)	301	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED CONTEXT PLAN (A3)	302	REV 02	13.03.2020	Approved

PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED SITE PLAN (A3)	303	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED FIRST FLOOR PLAN (A3)	305	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED SECOND FLOOR PLAN (A3)	306	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED FRONT/EAST ELEVATION (A3)	307	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED SIDE/SOUTH ELEVATION (A3)	308	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED REAR/WEST ELEVATION (A3)	309	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED SIDE/NORTH ELEVATION (A3)	310	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 GATES & PIERS ELEVATION (A3)	311	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 VISIBILITY SPLAYS (A3)	313	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 LANDSCAPE PLAN (A3)	316	REV 02	13.03.2020	Approved
PLAN - SUBSTITUTE PLAN 20/2/20 INDICATIVE CGI (A3)	317	REV 02	13.03.2020	Approved



PLAN - SUBSTITUTE PLAN 20/2/20 PROPOSED FRONT & SIDE ELEVATION (A3)	318	REV 01	13.03.2020	Approved
PLANS - Plans PLAN -	319	REV 01	16.04.2020	Approved

## 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.

For further information on this application please contact Daniel Power on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q21AIIERKVF00>