

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE ORDER) 2015 (as amended)

To:

Agent :

WYG
The Pavilion
Botleigh Grange Office Campus Grange
Road
Hedge End Hampshire SO30 2AF

ApplicantsDetails :

Linden Limited (Linden Homes) And Miller
Homes
C/o Agent

In pursuance of their powers under the above mentioned Act and Orders, the Council hereby notify you that they **PERMIT** the following development, that is to say:

Outline planning application with all matters reserved (except for access) for the first phase of development for up to 750 homes with access from Old Broyle Road, temporary access from Clay Lane, a local centre (with associated employment, retail and community uses), primary school, informal and formal open space (including a Country Park), playing pitches, associated landscaping, utilities and drainage infrastructure with on site foul sewage package treatment plant or pumping station with connection to Tangmere Waste Water Treatment Works.

Land West Of Centurion Way And West Of Old Broyle Road Chichester West Sussex PO19 3PH

to be carried out in accordance with your application CC/14/04301/OUT as modified by the undermentioned conditions if any submitted to the Council on 7 January 2015 and subject to compliance with the conditions specified hereunder:

1) (i) Approval of the details of the layout of the site, the scale and the appearance of the building(s) or place and the landscaping of the site (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority for each phase of the development before any development is commenced on that phase.

Plans and particulars of the reserved matters referred to in paragraph (i) above, relating to the layout of the site, the scale and the appearance of the buildings or place, to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3) The development hereby permitted shall be carried out in accordance with the approved plans in so far as they relate to the matters of detail hereby approved:

LL-225-P-005 rev A - Phase 1 red line boundary
LL-225-P-101 rev E - Framework Plan Phase 1
LL-225-P-151E - Parameter Plan - Street Hierarchy Phase 1
LL-225-P-152E - Parameter Plan - Storey Heights Phase 1
LL-225-P-153E - Parameter Plan - POS and Drainage Phase 1
LL-225-P-154E - Parameter Plan - Land Use Phase 1
LL-225-P-155E - Parameter Plan - Footpath and Cycleways Phase 1
LL-225-P-156E - Parameter Plan - Quantum Development Phase 1
110013/A/53 - Old Broyle Road site access
110013/A/55 - Clay Lane site access
110013/A/36 rev C - Emergency access off Old Broyle Road

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

4) No development shall commence until a Phasing Plan detailing the works to be carried out in each Phase of development on site has been submitted to and approved in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing, by the Local Planning Authority.

Reason: To ensure the development is delivered in accordance with the terms under which the Outline Planning Permission was granted, to facilitate a phased delivery of the site and to ensure the deliverable and comprehensive development of the site.

5) No development shall commence within a Phase, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) comprising a schedule of works and accompanying plans for that Phase 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 phased programme of demolition and construction works;
- (b) the anticipated number, frequency and types of vehicles used during construction,
- (c) the method of access during construction
- (d) during school term time (as defined annually by the Local Education Authority for West Sussex) no HGV movements shall be made to or leave the site between the hours of 07.45-09.00 and 14.45-15.45.
- (e) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (f) the loading and unloading of plant, materials and waste,
- (g) the storage of plant and materials used in construction of the development,
- (h) the erection and maintenance of security hoarding,
- (i) the location of any site huts/cabins/offices,
- (j) the provision of road sweepers, wheel washing facilities and the type, details of operation and location of other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),

- (k) details of public engagement both prior to and during construction works, including a named person to be appointed by the applicant to deal with complaints who shall be available on site and contact details made known to all relevant parties
- (l) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles and restriction of vehicle speeds on haul roads. A dust management plan should form part of the CEMP which includes routine dust monitoring at the site boundary with actions to be taken when conducting dust generating activities if weather conditions are adverse,
- (m) measures to control the emission of noise during construction,
- (n) 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,
- (o) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas,
- (p) measures to reduce air pollution during construction including turning off vehicle engines when not in use, plant servicing, best endeavours to use EURO VI emission standard HGVs and transport reduction
- (q) waste management including prohibiting burning,
- (r) measures to prevent the discharge of water or other substances to ground or surface waters without the prior written approval of the Environment Agency,
- (s) measures to be taken in the event of emergency spillages.

The Construction and Environmental Management Plan shall demonstrate how the construction site management including the above criteria will be implemented in accordance with the agreed Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.

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 a Construction and Servicing Management Plan (Clay Lane CSMP) for all elements of the development to be constructed and serviced from the Clay Lane access has been submitted to and approved by the Local Planning Authority in consultation with West Sussex County Council and Network Rail. The Clay Lane CSMP shall provide details of the construction and servicing routes to be used, the number of construction and servicing vehicles per day and the details of how the impact on the level crossing on Clay Lane will be managed by a banksman and CCTV camera linked to the signal controller. The Clay Lane CSMP shall demonstrate how the above details will be implemented in accordance with the agreed phasing plan. The approved Clay Lane CSMP shall be implemented and adhered to throughout the entire construction and servicing period unless any alternative is agreed in writing by the Local Planning Authority.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and the amenities of the area and to ensure the amenities of the surroundings are protected during all stages of development.

7) Construction of the development hereby permitted shall not take place other than between the hours of: 07.30 hours - 18.00 hours Mondays to Fridays inclusive; 08.00 hours - 13.00 hours on Saturdays; and not at all on Sundays or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the locality and of the occupiers of the neighbouring dwellings.

8) No development shall commence nor any plant, machinery or equipment shall be brought onto the site within any Phase of development until an Ecological Construction Management Plan (ECMP), comprising a schedule of management measures and accompanying plans for that Phase has been submitted to and approved in writing by the Local Planning Authority. The ECMP shall be prepared in accordance with the approved Ecological Mitigation Strategy (EMS) reference EDP129_33 (June 2015) prepared by The Environmental Dimension Partnership Ltd (EDP). Thereafter the approved ECMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The ECMP shall provide details of the following:

- (a) full details of wildlife buffers and protective fencing to be erected around all retained hedgerows and planted areas. The buffer areas shall be undisturbed at all times during the construction period and the fencing shall be retained until all equipment, machinery, surplus materials and soil have been removed from the site,
- (b) specifications of protective and construction fencing to ensure suitability for wildlife,
- (c) ecological and environmental safeguards for any works required within the buffer areas or to existing trees, hedges or vegetation, including details of timing of works and any requirements for additional surveying or an ecological watching brief on site during works,
- (d) protection of all retained trees and hedges in accordance with BS5837:2012,
- (e) details of how any lighting required for construction purposes will be designed and installed to minimise disturbance to wildlife,
- (f) management of the development area prior to works commencing to minimise disturbance to wildlife,
- (g) mitigation measures to be carried relating to each sett, roost, hedgerow and reptile habitat.

The Ecological Construction Management Plan shall demonstrate how the site will be managed in accordance with the criteria set out above and shall be implemented in accordance with the agreed Phasing Plan. All fencing and other protection measures shall be maintained as agreed until all equipment, machinery, surplus materials and soil have been removed from the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: This information is required pre-commencement to protect the environmental value of the site during works.

9) No development shall commence within any Phase until a Landscape and Ecological Management Plan (LEMP) setting out measures to ensure the delivery and long term management of open spaces, including SANGS and areas of ecological value, has been submitted to and approved in writing, by the Local Planning Authority. The LEMP shall be prepared in accordance with the Ecological Mitigation Strategy reference EDP129_33 (June 2015) prepared by The Environmental Dimension Partnership Ltd (EDP) unless an alternative is agreed in writing, by the Local Planning Authority. Thereafter development within each Phase shall be carried out fully in accordance with the measures included in the LEMP, including timing and phasing arrangements, unless otherwise agreed in writing, by the Local Planning Authority.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for enhancement of the nature conservation value of the site in line with national planning policy.

10) In the event that development is proposed to connect to the on-site sewage treatment works, the development shall not commence until an overall site-wide foul water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority.

In the event that the development is proposed to connect to the public foul sewer network, the development shall not commence until an overall site-wide foul water drainage scheme and full details of the proposed off-site means of foul sewerage disposal to Tangmere Waste Water Treatment works has been submitted to, and approved in writing, by the Local Planning Authority in consultation with Southern Water. In addition:

- o Prior to commencement of development details of the tankering arrangements for the first 200 dwellings shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with WSCC highways.

- o If the pipeline is not operational and fit for purpose prior to the occupation of the 200th dwelling, foul sewage disposal shall be implemented in accordance with further details, including the necessary tankering arrangements and an updated implementation timetable for delivery of the pipeline, which has been approved in writing by the Local Planning Authority in conjunction with WSCC highways.

- o No more than 500 dwellings shall be occupied until all off-site provisions enabling foul drainage to Tangmere Waste Water Treatment Works has been confirmed operational and fit for purpose by the Local Planning Authority, in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

No development within each phase of the development hereby permitted shall commence until full details of the foul water drainage scheme for that phase has been submitted to and be approved in writing by the Local Planning Authority. This shall accord with the overall site-wide foul water drainage scheme. For the avoidance of doubt details shall include plans and longitudinal sections of the new wastewater treatment plant or main sewer where appropriate. The foul water drainage scheme shall be implemented for each phase as approved unless any variation is agreed in writing by the Local Planning Authority. No building in any phase shall be occupied until the complete foul water drainage system serving the properties of that phase has been implemented in accordance with the agreed details and the Local Planning Authority is satisfied that, in consultation with Southern Water, adequate wastewater treatment facilities exist to effectively drain the development and the Local Planning Authority has confirmed this in writing.

Reason: To ensure that the proposed provisions are in place for wastewater disposal.

11) No development shall commence on the foul water drainage system until full details of its maintenance and management (including the on-site sewage treatment works where appropriate), has been set out in a site-specific maintenance manual and has been submitted to and approved in writing by the Local Planning Authority. The manual is to include details of the owner or management company, financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the foul water drainage system serving each phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: The details are required pre-commencement to ensure the foul water drainage system is designed appropriately and properly maintained and managed as soon as it is installed to ensure its long-term effectiveness.

12) No development shall commence until a scheme to agree pipe work specifications to be used in the installation of the waste water treatment system has been submitted to, and approved in writing by the Local Planning Authority. The pipework should be designed to the best available specifications in the industry. Thereafter development within each Phase shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: The area where this development is proposed suffers from high groundwater levels and as a result the ingress of groundwater to the pipes needs to be prevented where possible to ensure that only foul water requiring treatment reaches the waste water treatment works.

13) No development shall commence on any phase until details of the proposed overall site wide surface water drainage scheme have 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.

No development within each phase of the development hereby permitted shall commence until full details of the surface water drainage scheme for that phase has been submitted to and be approved in writing by the Local Planning Authority. This should accord with the overall site-wide surface water drainage scheme and include a timetable for implementation of the overall site-wide surface water drainage infrastructure. 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. No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public gravity sewer, rising main or water main.

The surface water drainage scheme shall be implemented for each phase (including any necessary site-wide infrastructure) 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.

14) No development shall commence until details of the discharge of any flows to a watercourse have been approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority (WSCC). Any discharge to a watercourse must be at a rate no greater than the pre-development run off rates. The approved discharge rates must be adhered to.

Reason: To ensure that the proposed development is satisfactorily drained.

15) No development within any phase shall commence until the arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the phase have been submitted to and been approved in writing by the Local Planning Authority. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site. The access and maintenance arrangements shall be implemented as approved.

Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion.

16) No development within any phase shall commence on the SUDS system for that Phase until full details of the maintenance and management of the SUDS system, set out in a site-specific maintenance manual, have been submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SUDS system serving each phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and on going operation for the SUDS system and to ensure best practice in line with guidance set out in the SUDS Manual CIRIA publication ref: C687 Chapter 22. The details are required pre-commencement to ensure the SUDS are designed appropriately and properly maintained and managed as soon as they are installed.

17) No fixed plant or equipment associated with the sewerage treatment works (the plant) shall be brought into operation until an odour management plan for the proposed plant has been submitted to and approved in writing by the Local Planning Authority. The plant design and odour management plan shall take local conditions into account and the current state of knowledge so as to achieve a target of $C98,1\text{hour} = 3.0\text{ouE}/\text{m}^3$ at the nearest sensitive receptor and not further than 40 metres from the plant boundary. The approved odour control management plan shall be implemented prior to the first operation of the plant and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the amenities of the occupiers of neighbouring properties.

18) No fixed plant or equipment associated with the sewerage treatment works or pumping station (the plant) shall be installed until full details including acoustic specifications for the proposed plant and a scheme of noise control to control environmental noise emissions from the works have been submitted to and approved in writing by the Local Planning Authority. The approved noise control scheme shall be implemented prior to the first operation of the works and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to mitigate and reduce to a minimum the adverse impacts of noise on the health and quality of life of noise sensitive receptors.

19) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (1) below, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (2) below. The development hereby permitted shall not be occupied unless and until approval is granted for the verification report.

(1) A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

o A desk-top study has been completed, satisfying the requirements of the Local Planning Authority.

o The requirements of the Local Planning Authority for site investigations have been fully established, and

o The extent and methodology have been agreed in writing with the Local Planning Authority.

Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.

(2) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a verification report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority.

Note: the above requirements shall be carried out in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

20) No development shall commence within a Phase until a noise mitigation scheme has been submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site within that phase. The noise mitigation scheme shall include details of window glazing and room ventilation provisions and acoustic specifications of all fixed plant, machinery and equipment associated with air moving plant, compressors, generators or plant or equipment of a like kind installed within the site. The development for each Phase shall be carried out in accordance with the approved measures before the development in that Phase is brought into use and shall be maintained in perpetuity thereafter.

Reason: In order to maintain reasonable living conditions for the future occupants of the proposed dwellings.

21) No development shall commence within any Phase until measures to protect gardens and balconies within that phase from external noise have been submitted to and approved in writing by the Local Planning Authority. The design specifications of the gardens and balconies should aim to provide for protection from external noise so that the noise level does not exceed 50 dB, LAeq, 16h

(0700-2300 hrs). Thereafter development within that Phase shall be carried out in accordance with the approved measures unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to mitigate and reduce to a minimum the adverse impacts of noise on the health and quality of life of noise sensitive receptors.

22) Before the development hereby permitted is begun the method of piling/foundation design shall be submitted to and be approved by the Local Planning Authority. The method of piling/foundation design shall exclude the use of top driven piling. Only the approved details shall be used in the development.

Reason: In the interests of the amenities of neighbouring properties.

23) A minimum of 3 electric vehicle re-charging points (6 parking bays) shall be installed within the non-residential areas (i.e. the employment/retail/community premises) and a minimum of 1 electric vehicle re-charging point (2 parking bays) shall be installed at the Country Park car park. No development shall commence within any Phase until details of the location, maintenance and management and a timetable for installation of the electric vehicle re-charging points for that Phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter the details shall be fully implemented as approved.

Reason: To mitigate the impact of the development in terms of air quality.

24) Prior to the commencement of any building works an overall site-wide general specification of archaeological works for the whole site shall be submitted to and approved in writing by the Local Planning Authority. This general specification shall include an overall methodology for the archaeological evaluation for each phase of the development and any subsequent further investigations as required and the subsequent publication of results.

No development within any Phase of the development hereby permitted shall commence until a detailed Written Scheme of Investigation for that Phase has been submitted to and be approved in writing by the Local Planning Authority. This shall accord with the overall site-wide general specification and shall include a timetable of a programme of archaeological works comprising initial evaluation, the recording of findings and the preservation of the significance of deposits of importance thus identified. The investigation shall be undertaken by an appropriately qualified archaeologist. The approved details shall be implemented for each phase as approved unless any variation is agreed in writing by the Local Planning Authority.

Reason: This site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development.

25) No development within any Phase of the development shall commence until details of site levels and longitudinal and latitudinal sections through the site for that Phase, to show how the buildings shall be set into the ground and any re-profiling of the land have been submitted to and been approved in writing by the Local Planning Authority. Thereafter the development within that Phase shall be carried out in accordance with the approved details unless otherwise agreed in writing, by the Local Planning Authority.

Reason: To ensure acceptable levels are used throughout the development process.

26) No development shall commence within any Phase until a full schedule of all materials and finishes for that Phase and samples of such materials and finishes to be used for external walls and roofs of the construction of the buildings and the surfacing materials in that Phase have been

submitted to and approved in writing by the Local Planning Authority. The development of each Phase 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.

27) An overall design strategy for the development of the site as a whole including details of the different character areas, palette of materials and architectural approach shall be submitted with the first application for reserved matters relating to but not exclusively reserved to matters of scale, appearance or layout and all subsequent applications for reserved matters shall demonstrate how the details are to be implemented in accordance with the approved design strategy.

Reason: To ensure consideration is given to the development as a whole in the interests of amenity and to ensure a development of visual quality.

28) No development within any Phase shall commence until a strategy outlining details of the sustainable design and construction for all new buildings within that Phase, including water use, building for life standards, sustainable building techniques and technology and energy consumption maximising renewable resources 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 for each phase as approved unless any variation is agreed in writing by the Local Planning Authority.

Reason: To accord with policy 40 of the Chichester Local Plan: Key Policies 2014-2029 and the principles of sustainable development as set out in the NPPF.

29) Development shall not commence on any Phase until full details of how that Phase of the site will be connected to all relevant utilities and services infrastructure networks (including fresh water, electricity, gas, telecommunications and broadband ducting) have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate the provision of suitable infrastructure to facilitate these connections and the protection of existing infrastructure on site during works. The development will thereafter proceed only in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with policies 8, 9, 33 and 39 of the Chichester Local Plan. This is required prior to commencement to ensure all appropriate infrastructure is installed at the groundworks stage.

30) Prior to the commencement of development, details showing the approximate location of 13 fire hydrants (in accordance with West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services.

Prior to the first occupation of any dwelling within each Phase of the development, details showing the precise location, installation and ongoing maintenance of the fire hydrants to be supplied within that phase (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services. The fire hydrant(s) shall thereafter be provided and fully maintained as in accordance with the approved details.

Reason: In the interests of amenity and in accordance with The F&RS Act 2004.

31) No development shall commence within any Phase until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The external lighting strategy shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting scheme should take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees and hedgerows by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is required pre-commencement to protect the appearance of the area, the environment and local residents from light pollution and in the interests of preserving the nature conservation interests of the area.

32) The development hereby permitted shall be carried out in accordance with the approved Ecological Mitigation Strategy (EMS) reference EDP129_33 (June 2015) prepared by The Environmental Dimension Partnership Ltd (EDP) and the following mitigation measures detailed within the EMS. No development shall commence on any Phase until a programme of implementation relating to the mitigation measures contained within the approved EMS has been submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be fully implemented in accordance with the agreed programme of implementation, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for enhancement of the nature conservation value of the site in line with national planning policy.

33) No development shall commence until:

- a) A detailed assessment of ground conditions of the land proposed for the new playing field land as shown on drawing number LL-225-P-102b has been undertaken and submitted to the Local Planning Authority (including drainage and topography) to identify constraints which could affect playing field quality; and
 - b) Based on the results of this assessment a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England, and
 - c) A written timetable for the provision of the new playing field has been submitted to the Local Planning Authority after consultation with Sport England. This timetable should ensure that the playing fields are available for use before the occupation of the 325th dwelling.
- The works shall be carried out in accordance with the approved scheme and timetable unless otherwise agreed in writing, by the Local Planning Authority.

Reason: To ensure that site surveys are undertaken for the new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field.

34) The playing field shall only be used for Outdoor Sports and for no other purpose (including without limitation any other purpose in Class D2 of the Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the playing field from loss and/or damage, to maintain the quality of and secure the safe use of sports pitches.

35) The playing field shall not be brought into use until a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The playing field shall be used in accordance with the approved Management and Maintenance Schedule unless otherwise agreed in writing, by the Local Planning Authority.

Reason: To ensure that the new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.

36) No development shall be occupied until a community use agreement relating to the use of the playing field and sports hall has been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The agreement shall include details of pricing policy, hours of use, access, management responsibilities, a mechanism for review and a programme for implementation. Thereafter the playing fields and sports hall shall be operated fully in accordance with the approved agreement unless otherwise agreed in writing, by the Local Planning Authority.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

37) The details of the reserved matters submitted pursuant to this permission shall be in conformity with the Parameter Plans LL-225-P-101 rev E - Framework Plan Phase 1; LL-225-P-151E - Parameter Plan - Street Hierarchy Phase 1; LL-225-P-152E - Parameter Plan - Storey Heights Phase 1; LL-225-P-153E - Parameter Plan - POS and Drainage Phase 1; LL-225-P-154E - Parameter Plan - Land Use Phase 1; LL-225-P-155E - Parameter Plan - Footpath and Cycleways Phase 1; LL-225-P-156E - Parameter Plan - Quantum Development Phase 1.

Reason: To secure the satisfactory development of the site in accordance with the terms of the Environmental Statement submitted in support of this application.

38) INFORMATIVE

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.

39) INFORMATIVE

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

40) INFORMATIVE

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to this agreement being in place.

41) INFORMATIVE

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, Guildbourne House, Chatsworth Road, Worthing, West Sussex, BN11 1LD, 0300 0600300, enquiries@naturalengland.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August) or ensure an ecologist is present on site and has checked the site within 24 hours of any works.

42) INFORMATIVE

The Council has taken account of the content of the Environmental Statement dated December 2014 and the Environmental Statement addendums dated October 2015 and April 2016 and is satisfied that the environmental impacts of the development have been fully assessed and will not be significant under the terms of the Environmental Impact Assessment Regulations 2011.

43) The applicant is advised of the content of the consultation letter from Southern Water requiring that the exact location of the sewer must be determined on site by the applicant before the layout of the proposed development is finalised. No development or new tree planting should be located within 3.5mm either side of the centreline of the public sewers and all existing infrastructure should be protected during the course of construction works. No new soakaways should be located within 5m of a public sewer. Any sewer found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and the potential means of access before any further works commence on site.

44) INFORMATIVE

The applicant is reminded that the prior written consent of the Environment Agency, West Sussex County Council as Lead Local Flood Authority and other external organisations may be required in order to comply with the Land Drainage Act 1991 and Flood and Water Management Act 2010 may be required in respect of water and foul discharge off site.

45) INFORMATIVE

The odour management plan and odour assessment pursuant to condition 17 above should be undertaken in accordance with the requirements and approach set out in the IAQM Guidance on the Assessment of Odour for Planning. Dispersion modelling of the plant should consider all contributions and will be used to inform the stack height required. The modelling assessment should take into consideration the effect of local terrain and include sensitivity testing of volume and flow input data, as well as the meteorological conditions under assessment.

46) For further information and technical guidance regarding land contamination and the requirements of condition 18 above the applicant should contact the District Council's Environmental Protection Team (01243 785166).

47) The noise control works pursuant to condition 18 above should be designed so as to ensure that the Rating Level (LAr) of noise emissions from the works do not exceed the existing typical background noise at the nearest noise sensitive receptor (LA90) during the proposed operational hours of the works, assessed in accordance with BS 4142: 2014: "Methods for rating and assessing industrial and commercial sound.

The noise mitigation scheme pursuant to condition 20 above should aim to control the internal noise levels in accordance with the recommendations of Table 4 of BS8233: 2014 "Guidance on Sound Insulation and Noise Reduction for Buildings", i.e. not greater than 35dB, LAeq,16hour (07.00-23.00) and 30dB, LAeq,8hour (23.00-07.00) with adequate ventilation needs.

48) INFORMATIVE

As part of the Building Regulations 2004, adequate access for fire fighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly on very large developments (BS5588 Part B 5). For further information please contact the Fire and Rescue Service.

49) The Planning Performance Agreement and Development Delivery Timeline set out a commitment by the applicant to seek to deliver the southern access to the site within a specified timescale. In light of this, the Local Planning Authority anticipates that the southern access will be available for use by construction traffic no later than occupation of the 125th dwelling forming part of the Phase 1 scheme hereby permitted and that the southern access will be available for all traffic no later than occupation of the 225th dwelling as outlined in the agreed Planning Performance Agreement and the associated Development Delivery Timeline. The Local Planning Authority is committed to working with the developer and other relevant bodies with a land interest to deliver this.

Please Note: The headings to the Conditions are inserted for ease of reference only and shall not affect the interpretation of the Condition(s).
The applicant is reminded that the Council operate a formal procedure for the discharge of conditions. Details of this procedure can be found on the Council's website (<http://www.chichester.gov.uk/planningadvice#planningapplications>) or by telephone (01243 534734).

The plans the subject of this decision can be viewed on the Council's website www.chichester.gov.uk quoting the reference number of the application. For all applications after May 2003, the relevant plans are listed as "Plans-Decided".

Date : 11 April 2018

Signed:



Andrew Frost
Director of Planning and the Environment
Chichester District Council

Are you CIL Liable?

If so, please complete Form 6 using the link below and return to CIL@chichester.gov.uk as soon as possible.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

NOTES

Town and Country Planning Act 1990 Town and Country Planning (Control of Advertisements) Regulations 1992 Town and Country Planning (Trees) Regulations 1999

Your attention is directed to the following notes. They are for information only and do not pretend to set out the whole of the law on the subject. It would be well for you to consult your solicitor if you are in any doubt.

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission for the development, or is aggrieved by a condition imposed on a planning permission, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months* from the date of notice or determination giving rise to the appeal. (All appeals must be made on

a form which is obtainable from The Planning Inspectorate, Room 3/04A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. <https://www.gov.uk/planning-inspectorate>. Advertisements and ELD/PLD appeal forms are available from County House, Portland Square, Bristol; Tree Preservation Order appeals forms are available from Government Office from The Planning Inspectorate, The Environment Appeals Team, Trees and Hedges, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Email – environment.appeals@pins.gsi.gov.uk Telephone – 0303 444 5584. One copy of the appeal form must be submitted to the Director of Planning and the Environment, Chichester District Council, East Pallant House, Chichester, West Sussex PO19 1TY).

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

*** APPLICANTS SHOULD NOTE THAT THE PERIOD FOR MAKING AN APPEAL IN RESPECT OF HOUSEHOLDER APPLICATIONS (SUFFIX /DOM) IS 12 WEEKS FROM THE DATE OF THIS NOTICE; FOR ADVERTISEMENT APPLICATIONS (SUFFIX /ADV) IT IS 8 WEEKS; AND FOR TREE APPLICATIONS (SUFFIX /TPA) IT IS 28 DAYS.**

2. If permission to develop land is refused or granted subject to conditions, whether by the District Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part V of the Town and Country Planning Act 1990.
3. In certain circumstances a claim may be made against the District Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in the Town and Country Planning Act 1990.
4. By Section 195 of the Town and Country Planning Act 1990 where an application is made to a District Planning Authority for a Certificate of Lawful Use or Development and is refused in part, the applicant may by notice under this sub-section appeal to the Secretary of State and on any such appeal the Secretary of State shall:
 - (a) if and so far as he is satisfied that the Authority's refusal is not well-founded, grant to the appellant a Certificate of Lawful Use or Development accordingly or, as the case may be, modify the certificate granted by the Authority on the application, and:
 - (b) if and so far as he is satisfied that the Authority's refusal is well-founded, dismiss the appeal.
5. Applicants are advised to consult Regulation (15) of the Advertisements Regulations 1992 regarding appeals in respect of advertisements.
6. Where this notice conveys approval or permission, conditional or unconditional please note that the decision given does not purport to convey any consent or approval which may be required under the Public Health Acts and Building Regulations. Additionally applicants are advised to check the need for notice to be given under the Party Wall etc. Act 1996.
7. Where this notice conveys approval or permission subject to conditions, applicants are reminded that the onus is on them to ensure the conditions have been complied with. Under some circumstances a failure to comply with a condition may result in the whole development being unauthorised.

