The Planning Inspectorate

Appeal Decision

Site visit carried out on 21 July 2016

by Mrs J A Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 August 2016

Appeal Ref: APP/Y3805/W/16/3143400
Former Manor Filling Station, Old Shoreham Road, Lancing, West Sussex BN15 0QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Kato Holdings Limited against the decision of Adur District Council.
- The application, No AWDM/1128/14, dated 8 August 2014, was refused by a notice dated 10 November 2015.
- The development proposed comprises the erection of 6 No three bed dwellings, parking and garaging.

Decision

1. The appeal is allowed and planning permission is granted for the erection of 6 No three bed dwellings, parking and garaging at the former Manor Filling Station, Old Shoreham Road, Lancing, West Sussex, in accordance with the terms of the application No AWDM/1128/14, dated 8 August 2014, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. This is an outline application with access, layout and scale to be considered at this stage. Matters relating to appearance and landscaping are reserved for future consideration. Whilst not formally part of the scheme, I have treated the submitted details relating to landscaping[1] as a guide to how the site might be planted up. I have also had regard to the Design and Access Statement and the Visual Appraisal that accompanied the planning application.

Main Issues

3. The 0.2 hectare appeal site lies on the north side of the A27. The northern site boundary is contiguous with the southern boundary of the South Downs National Park and it backs on to open fields. The trees along the northern site boundary, and a further group that abuts the eastern site boundary, are included within a Tree Preservation Order (TPO)[2].

4. Use of the appeal site as a petrol filling station ceased some 20 years ago. The associated buildings have since been demolished and the site largely cleared, although an area of hardstanding remains. A low retaining wall wraps around the north-eastern corner of the site. The western part of the site comprises an elevated grassed area within which sits a large tree (not included in the TPO).

[1] Landscape Masterplan (Plan No R&Co/120/03 rev 02)
[2] Worthing Rural District Council Tree Preservation Order (East of Malt House, Old Shoreham Road, Lancing) No 4/1960

More recently, the site has been used for the storage of new cars, with the benefit of a temporary planning permission, although that use too has now ceased.

5. It is proposed to erect six dwellings on the site. A row of three link-detached two-storey properties with integral garages is shown sited gable end on to the main road at the western end of the site (plots 1-3). Facing those properties would be a short terrace of three two-storey dwellings. Again, the terrace would be sited gable end on to the main road (plots 4-6). The two rows of facing dwellings would step up the gradually rising appeal site, although they would be cut into the site towards the rear of the site, with a new retaining wall to the north of plots 1 and 4. A detached triple car garage for the occupiers of plots 4-6, is shown at the eastern end of the site, with additional parking, including visitor parking, located to the front of plots 4-6.

6. It is intended to retain the existing in/out access arrangement off the A27 in its present form. A new spur would be taken off the access, leading up between the two rows of dwellings, with another accessing the parking/garaging behind plots 4-6.

7. The site lies at the eastern edge of, but within the settlement boundary for Lancing as defined by the Adur District Local Plan (adopted in 1996). Although the site is not allocated for development, saved policy AH2 is permissive of redevelopment for residential purposes within the built up area, subject to general development criteria. I am also advised that, since 2009, the site has been identified in the Council's Strategic Housing Land Availability Assessments (SHLAAs) as being suitable, achievable and deliverable, with the Council confirming that the site is required to help meet its five year supply of housing land.

8. In light of the above, there is no objection to the general principle of the development proposed, the main issues in this case relating to:

   - drainage and flood risk;
   - the noise environment for future occupiers;
   - the effect of the proposed acoustic fencing on the character and appearance of the area;
   - highway safety; and,
   - contamination, having regard to the previous petrol filling station use of the site.

Reasons for the Decision

Drainage and Flood Risk

9. Almost half the appeal site lies within Zone 3a. Since the built development proposed would straddle the Flood Zones, it is required to pass both the Sequential and Exception Tests set out in the Government's Planning Practice Guidance (planning guidance). The Council confirms, in this regard, that these were carried out as part of a paper that informed the current SHLAA[3]. In relation to the appeal site, the paper carries out both Tests, confirming, in

[3] Paper entitled Sequential and Exception Test for the Proposed Submission Adur Local Plan (March 2016).

relation to the appeal site, that they are passed subject to the mitigation measures set out therein, with the site being recommended for inclusion in the emerging Local Plan

10. However, the Council's Drainage Engineer and local residents are concerned about surface water flooding, particularly groundwater emergence during periods of heavy rainfall as a consequence of high ground water levels. The foul water system is not watertight with the consequence that, when ground water levels are high, water enters the foul drainage system in such volumes that it exceeds capacity. That leads to flooding on the surface and the inability of drainage appliances (toilets and baths etc) to discharge correctly. I note that particular problems were experienced in this regard, during the winter of 2012/13, including flooding of the A27 and of a residential service road that is at a lower level than, and is off-set from, the appeal site on the opposite side of the main road. However, as set out in the appellant's Flood Risk Assessment (FRA) Southern Water has since implemented a programme of managing groundwater ingress issues, by upgrading the nearby pumping station and surveying and repairing leaks to pipe work lying below the level of the ground water.

11. With regard to foul drainage, it is proposed to use the existing connection from the site into the public foul sewer. I have no reason to suppose that, absent the entry of ground water, the system does not have sufficient capacity to accommodate foul drainage from the development proposed, with no objection being raised by Southern Water in terms of the proposed connection – the company's concerns relate only to preventing the discharge of surface water to the public foul sewer. Subject to conditions I am satisfied therefore, that appropriate foul drainage could be secured with no material implications for surface water flooding either upstream or downstream of the appeal site.

12. Looking at ground and surface water the FRA, together with an additional flooding/drainage report, including extracts from the Lancing Surface Water Management Plan, confirms that the appeal site, the main road and the service road opposite are underlain by a layer of virtually impermeable head deposit. The nature of that deposit does not allow ground water to flow through it, either upward or downward. The level of the service road, where flooding occurs, is approximately 3 metres AOD. The ground level of the appeal site is above that, at some 4.3 metres AOD. Ground water flow passes, under pressure, beneath the head deposit (and the appeal site), emerging on the far side of the main road. I am mindful, in this regard, that the surface of the main ground water table at the far (lower) side of the head intrusion cannot exceed 3 metres AOD without creating ground water flooding far deeper than has ever been recorded, as this is the ground level of the ditch/watercourse on that side of the main road.

13. A sustainable drainage scheme (SuDS) is proposed for the development, with sufficient on-site storage to cater for water volumes in excess of a 1 in 100 year event (plus an allowance for climate change). This would discharge to an existing surface water connection that, I am advised, runs under the main road from the eastern end of the site, into the drainage ditch on the south side of the main road on New Monks Farm, with attenuation to be set at the lowest practicable level (5 litres per second) which, I understand, represents a reduction when compared to the existing run-off rate from the site.

14. Local residents question the presence of that surface water connection. However, an 'as-built' drawing of surface water drainage works, based on a site inspection carried out on 28 March 2013 by Balfour Beatty Mott MacDonald, confirms the presence of the connection. That connection is not a highway drain. Whilst there are also concerns that the surface water connection may currently be blocked and/or damaged, I have no reason to suppose that it would not be possible to unblock and/or repair it and that, if required, such works would be anything other than a technical matter capable of resolution. I am in no doubt about the importance of ensuring that surface water from the site does not enter and overload the foul drainage system. However, I have no reason to suppose that concerns in this regard could not be addressed satisfactorily by a planning condition preventing commencement of development until such time as the drain has been proven to be capable of accommodating the outfall. Indeed, such a condition is suggested in the officer's report.

15. The underground storage tanks proposed would, in effect, replace the existing underground concrete filled fuel storage tanks which remain on site following cessation of the earlier garage use. Whether or not those existing tanks might breach the base of the head deposit layer, I am advised that the proposed storage tanks would be wholly within the head deposit and sealed with an impermeable membrane. I am satisfied, in this regard, that there would be no disruption or increase in terms of ground water flows beneath the site as a consequence of the development proposed, and that it would not affect the current discharge of ground water into the ditch on the far side of the main road.

16. Whilst I recognise the concerns of the Council and local residents, I am satisfied that the development proposed would not, subject to conditions, exacerbate the risks of flooding. I find no conflict in this regard, with saved Local Plan policy AP4, which requires that any necessary additional drainage works specifically needed for the development itself to be included as part of the development scheme and to be completed at the expense of the developer. There would be no conflict either, with paragraph 103 of the National Planning Policy Framework (the Framework) which seeks, among other things, to ensure that flood risk is not increased elsewhere.

Noise

17. The appeal site fronts onto the A27 Old Shoreham Road, a busy dualled road. BS 8233:2014 *Sound insulation and noise reduction for buildings* and the World Health Organisation (WHO) *Guidelines for Community Noise* (1999) set out noise criteria in relation to reasonable resting and sleeping conditions. The comparative limits relative to the matters at issue here are similar in both sets of guidance.

18. The planning application was accompanied by a Noise Assessment.[4] The end dwelling of each of the two rows proposed (plots 3 and 6) would be set gable end on to the site frontage. I also note that the road is at a slightly lower level than the nearest of the dwellings proposed. Based on BS 8233 'Rigorous' calculations, and with a 2.5 metre high acoustic fence in place along the side boundaries of plots 3 and 6, wrapping around the rear of those properties and

[4] Noise Assessment (Residential Dwellings) carried out by Acoustic Associates Sussex Limited (Project No J1554 dated 18 June 2014)

those adjacent, together with 1.8 metre high acoustic fencing between the rear gardens of plots 2/3 and 5/6,[5] the Noise Assessment concludes that, provided the noise mitigation measures set out below are implemented, the relevant internal noise levels could be achieved.

19. In addition to the acoustic fencing, the mitigation measures required include appropriate acoustic glazing, as detailed at sections 5.2 and 6.2 of the Noise Assessment, although the levels could only be achieved with closed windows, necessitating mechanical ventilation and a heat recovery system. Although there is some concern that windows would still need to be opened for purge ventilation, that could be undertaken by the end user at times that would result in the least disturbance for them. It is also suggested that the kitchens should be located at the front of each property, with the lounges to the rear, as the rear would be protected by the proposed acoustic fencing. On balance I am satisfied, subject to conditions, that internal noise levels within the development proposed would be acceptable for future residents.

20. In relation to external noise levels, the proposed acoustic fencing would ensure that levels were below the relevant upper limit in all but two of the gardens. The upper limit, designed to provide a reasonable living environment, would not be achieved within the rear garden areas to plots 3 and 6. However, the Government's Planning Practice Guidance (planning guidance) advises that noise impact may be partially offset if, among other things, the residents of affected dwellings have access to a relatively quiet, protected, external publically accessible amenity space, such as a nearby public park or a local green space designated because of its tranquillity.[6] In this case, the appeal site is a couple of minutes walk from Lancing Manor park/playground and it lies at the edge of the South Downs National Park with footpath access close by. It seems to me, that access to those spaces would provide sufficient off-set to compensate for the external noise environment that would be experienced by the occupiers of dwellings on plots 3 and 6.

21. All in all, whilst not ideal, I am satisfied, having regard to the relevant guidance and in the absence of any substantiated evidence to the contrary, that the noise environmental for future occupiers would be acceptable and that reasonable living conditions could be achieved in this regard. I find no conflict therefore, with paragraph 123 of the Framework, which among other things seeks to avoid noise from giving rise to significant adverse impacts on health and quality of life. Although the Council's reason for refusal refers to saved Local Plan policy AH2, I find no reference in that policy to any requirement for protection from the effect of noise. As such, it has little if any relevance to this particular issue.

Character and Appearance

22. No objection is raised in relation to the principle of residential development of this previously developed site in terms of character and appearance and, although layout is for consideration now, details of appearance would be dealt with at reserved matters stage were the appeal to succeed. Concern is raised however, in relation the visual impact of the necessary acoustic fencing, which would be some 2.5 metres high, close to the site frontage.

[5] The acoustic fencing arrangement shown on plan No 2013/32/01 is slightly different from that shown at Figure 3 of the appellant's Noise Assessment Report. That said, were the appeal to succeed, this is a matter that could be dealt with by condition.

[6] Paragraph: 009 Reference ID: 30-009-20140306

23. The acoustic fencing alongside plot 3 would be set back from the adjacent footway, on slightly elevated ground, leaving a strip for planting. The indicative landscape masterplan suggests tree and shrub/hedgerow planting in front of the fencing here. I saw that extensive planting of some height already defines the boundary along the back of the pavement at the adjacent property to the west. Whilst screen planting on the appeal site would take a while to become established, I see no reason why it could not, if properly maintained, act as a continuation of that existing planting and provide a visual screen for the fencing proposed alongside plot 3.

24. The proposed acoustic fence along the side of plot 6 would be set much further back into the site, behind the site access. A strip of land between the access and the fence, returning around the rear of the plot, is shown as being available for planting. Again, the indicative landscape masterplan suggests tree and shrub/hedgerow planting in front of the fencing and, whilst it would be a while before that planting was sufficiently established to provide a good screen, the fence would be set well back from the footway behind the access road within the site. I note also that the indicative landscape plan shows hedgerow planting between the footway and the access road. The acoustic fencing and associated planting would be behind that.

25. In coming to a view on the impact of the proposed fencing, I am mindful that the site lies alongside a busy dual carriageway and was previously a garage. The Council also confirms that the site, which is identified in the SHLAA as being suitable for residential development, is required to help meet the Council's housing needs. In making efficient use of the site, it seems to me that acoustic fencing of some sort or another would be necessary to minimise road traffic noise for future residents to realise that contribution. All in all, I am satisfied that, in the longer term, the required acoustic fencing would not undermine the established character and of the area. I find no conflict therefore, with saved policies AG1 and AH2 of the Local Plan, and paragraphs 56-66 of the Framework, which together and among other things seek to ensure that new development respects the existing character and appearance of the area and does not harm to the urban environment.

Highway Safety

26. It is intended that the two existing vehicular access points to the site off the A27, would be retained and utilised in their present form in connection with the development proposed. The A27 is dualled at this point, with an unbroken central reservation adjacent to the appeal site. As a consequence, traffic can only enter and leave the site travelling in an eastbound direction.

27. This part of the A27 is subject to a 40 mph speed limit, although it increases to the national speed limit a short distance to the east. Local residents and the Council suggest that traffic regularly exceeds the specified limit, although no substantiated evidence is submitted in this regard. That said, the appellant acknowledges this to be the case and accepts that traffic volumes are heavy. However, visibility is good along this relatively straight stretch of the road, with splays at the junctions (of at least 4.5 metres x 120 metres) complying with national guidance as set out in the Design Manual for Roads and Bridges.

28. Although there have been accidents along this stretch of the highway over the last five years, the incident record does not highlight any specific highway geometry issues. I am also mindful that the appeal site was used previously as

a petrol filling station, and more recently for car sales, both of which activities utilised the existing access/egress arrangement apparently without significant incident. More particularly, the Highways Agency (now Highways England) who have responsibility for the safety of the road network raises no objection to the proposal subject to conditions relating to the management of construction traffic.

29. Objectors draw my attention to an existing U-turn facility some 180 metres to the east of the site, which allows for access to the westbound (southern) carriageway. There is concern that traffic exiting the appeal site and then cutting across the carriageway to access the U-turn facility would materially increase danger for other road users. However, a deceleration lane leading to the gap in the central reservation starts at the eastern end of the appeal site, which gives approaching drivers space to slow down outwith the main carriageway. There is no suggestion that current (or previous) use of the U-turn facility is a significant cause of accidents and the Highway Agency raises no concern in this regard.

30. In the absence of any substantiated evidence to the contrary, I am satisfied that development of the appeal site would not prejudice highway safety. I find no conflict, in this regard, with saved policy AH2, which requires that acceptable arrangements are made for access to the public highway. There is no conflict either with paragraph 32 of the National Planning Policy Framework which requires that account be taken of whether a safe and suitable access to a site can be achieved for all people. It also directs that development should only be refused on transport grounds where the residual cumulative impacts would be severe.

Contamination

31. As referred to earlier, the site was previously used as a petrol filling station. Although that use ceased some 20 years ago, all three of the 3000 gallon (14000 litre) underground storage tanks remain on site, but were decommissioned by concrete slurry filling in July 1994. Concerns are raised that removal of the underground storage tanks to facilitate development of the site, combined with the opening up of the surface water drains, could present a pollution risk.

32. The planning guidance sets out that, if there is a reason to believe contamination could be an issue, developers should provide proportionate but sufficient site investigation information (a risk assessment) to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level[7].

33. The planning application was accompanied by a contaminated land report. Whilst that Phase I investigation identifies the need for further work, there is nothing to support the Council's concerns that the site could not be adequately remediated to secure a safe development. On the basis of the evidence before me, I have no reason to suppose that the further investigation required, together with any necessary remediation, could not be properly secured by means of a planning condition. Accordingly, I am satisfied that there would be no significant risk to human health or controlled waters in this regard. There

[7] ID 33-007-20140612 Last updated 12 06 2014

would be no conflict therefore, with paragraphs 109 and 120-122 of the Framework, which together and among other things seek to ensure that new and existing development is not put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution. Indeed, it seems to me that remediation of the site would be a benefit of the scheme proposed.

Conclusion

34. The appeal site comprises previously developed land in a sustainable location. I have found no harm in terms of any adverse impacts that could not be addressed by conditions. Accordingly, the proposal can be considered as comprising sustainable development and thus benefits from the presumption in favour of such as set out in the Framework. I conclude, therefore, that the appeal should succeed.

Conditions

35. The Council has suggested a number of conditions. I have considered these in the light of related advice in the Framework and the planning guidance.

36. In addition to the standard conditions relating to the submission of reserved matters it is necessary to ensure that the development is carried out in accordance with the approved plans, as this provides certainty. (1-4)

37. Given the previous use of the site, there is an acknowledged risk of contamination. Taking a precautionary approach, it is necessary to ensure that any site contamination, or the potential for such, is detected and remediated accordingly. I have amended the suggested wording to remove unnecessary duplication and to reflect current guidance. In addition, there is no need to require a Phase I investigation (a preliminary risk assessment) since that has already been carried out and the results submitted with the planning application. In order to minimise the risks of pollution, it is also necessary that prior approval be secured for any piling or foundations necessitating ground penetration. (5-8)

38. In order to avoid pollution and to prevent increased risk from flooding, details of foul water drainage are required and to prevent commencement of development until it has been demonstrated that the surface water outfall can accommodate flows from the site. It is also necessary to prevent the infiltration of surface water to the ground and to ensure that the mitigation measures set out in the FRA are carried out. I have separated out the sustainable drainage element from the mitigation measures into a separate condition because of the need to including arrangements for ongoing management which is essential to ensure that the scheme continues to perform as intended. (9-13).

39. One of the suggested conditions asks for a Construction Method Statement. Given that access to and from the site is taken from a dual carriageway, I agree, in the interest of highway safety, that wheel washing facilities for vehicles leaving the site should be employed to prevent the deposition of mud and other debris on the road, that measures should be employed to control the emission of dust and dirt during construction, and that on-site parking be provided for operatives, as well as arrangements for on–site loading/unloading and storage of materials. In the interest of sustainable development, details of measures for the recovery and recycling of construction waste are also

required. I have no reason to suppose though, given the location of the site, that there is any particular need for security hoarding such that it should be secured by condition. (14).

40. In order to ensure that the living conditions of future occupiers are acceptable in terms of the noise environment, a condition is necessary to ensure that the mitigation measures specified in the Noise Assessment that accompanied the planning application are provided. (15)

41. In the interest of highway safety, it is necessary to ensure that future occupiers are provided with adequate and properly accessed parking provision. (16) Cycle parking/storage facilities are also required, in order to encourage travel by sustainable non-car modes. (17)

42. In the interest of visual amenity and in order to ensure acceptable living conditions for future occupiers, given the relatively constrained nature of each of the plots and intimate relationship of the dwellings, it is necessary to remove permitted development rights in relation to extensions/additions to the dwellings and to development within the curtilage to the properties, to secure details of the proposed boundary treatments, including acoustic fencing, and to ensure that the properties are provided with adequate bin storage facilities. (18-20)

43. The Council suggests a condition requiring the submission of landscaping details and details of materials and finishes for the dwellings. However, those details would be secured at reserved mattes stage given that both landscaping and appearance are reserved for future consideration.

44. The Council also suggests a condition restricting the hours during which construction works can take place, in order to protect the living conditions of adjoining occupiers. However, since the appeal site is not especially constrained by other built development, I am not persuaded that the suggested condition meets the test of necessity.

Jennifer A Vyse
INSPECTOR

Schedule of Conditions attached to
Appeal Decision APP/Y3805/W/16/3143400
Former Manor Filling Station, Old Shoreham Road,
Lancing, West Sussex

Reserved Matters

1) Details of appearance and landscaping (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Plans

4) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relates to matters of access, scale and layout:

Drawing No 2013/32/01B Proposed Site Plan and Site Sections

Drawing No 201A Drainage Layout

Contamination

5) No development, including any works of site clearance and preparation (other than as required to be carried out as part of an approved scheme of remediation) shall take place until the following components of a scheme to deal with the risks associated with contamination have each been submitted to and approved in writing by the local planning authority:

i) a site investigation scheme, based on the recommendations in the Phase 1 Desk Study carried out by Soils Limited (Report No 14386/DS dated August 2014) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

ii) the site investigation results and detailed risk assessment and, based on those, a detailed scheme of remediation. The remediation scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken. The remediation scheme shall be sufficiently detailed and thorough to ensure that, upon completion, the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended residential use.

6) Before occupation of any dwelling on the site, the approved remediation scheme shall be carried out and upon completion, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority. The report shall include the results of sampling and monitoring carried out in accordance with the approved scheme to demonstrate that the remediation criteria have been met. It shall also include a plan for any necessary long term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

7) 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. No further development shall be carried out until an investigation and risk assessment has been undertaken in accordance with the requirements of conditions 5 above and, where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 5 above, which is subject to the approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with condition 6 above.

8) No piling or other foundation designs using penetrative methods shall be used during the course of development.

Drainage/Flood Risk

9) No development shall take place, including works of site clearance and preparation, until a scheme for the provision and implementation of foul drainage works, including a timetable for implementation, has been submitted to and approved in writing by the local planning authority. No dwelling shall be

occupied unless and until the foul drainage works have been completed in accordance with the approved scheme.

10) No development, including works of site clearance and preparation, shall take place until such time as the surface water drainage outfall pipe work has been located and has been proven, to the satisfaction of the local planning authority as confirmed in writing, to be capable of accommodating surface water flows from the development (including an allowance for climate change within its lifetime) or has been repaired as necessary to make it capable of accommodating surface water flows from the development (including an allowance for climate change within its lifetime).

11) There shall be no infiltration of surface water drainage into the ground other than with the express written consent of the local planning authority where it has been demonstrated that there would be no resultant unacceptable risk to controlled waters. Development shall be carried out only in accordance with any such approved details.

12) The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment carried out by The Civil Engineering Practice (dated July 2015) including setting finished floor levels at a minimum of 4.32 metres above Ordnance Datum (AOD).

13) No dwelling shall be occupied until surface water drainage works based on the surface water drainage scheme as shown on Drawing No 201A Drainage Layout, have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The scheme to be submitted shall:

    i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

    ii) include a timetable for implementation of the scheme; and,

    iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption of the scheme by any public authority or statutory undertaker, and any other arrangements to secure the operation of the scheme throughout its lifetime.

Construction Method Statement

14) No development, including works of site clearance and preparation, shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Construction Method Statement shall be adhered to throughout the construction period, including works of site clearance and preparation. The Construction Method Statement shall include, but is not limited to, the following matters:

- site management arrangements, including on-site storage of materials, plant and machinery, on-site parking and turning provision for site operatives, visitors and construction vehicles, and provision for the loading/unloading of plant and materials within the site;
- wheel washing facilities to ensure that any vehicle, plant or equipment leaving the site does not carry mud or deposit other materials onto the public highway;
- measures to minimise the emission of dust and dirt during construction; and,
- details of measures to minimise construction waste and to maximise recovery and recycling.

Noise

15) The development hereby permitted shall not begin until a detailed scheme for protecting future residents from road traffic noise, based on the recommendations set out in the Noise Assessment (Residential Dwellings) carried out by Acoustic Associates Sussex Limited (Project No J1554 dated 18 June 2014) including whole house ventilation systems, has been submitted to and approved in writing by the local planning authority. All works that form part of the approved scheme shall be completed in accordance with the approved details before occupation of any dwelling and shall be retained thereafter.

Parking

16) The dwellings hereby permitted shall not be occupied until the car parking/garaging spaces and associated access arrangements shown on Drawing No 2013/32/01B, have been provided in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. The parking and garaging provided pursuant to this condition shall be retained thereafter for its intended use.

17) No dwelling shall be occupied unless and until related provision for secure covered cycle parking/storage has been provided in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. Once provided, such facilities shall be retained thereafter for their intended use.

Removal of Permitted Development Rights

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no development within Schedule 2, Part 1 Classes A-E (which classes include extensions, alterations to roofs, erection of porches, outbuildings, enclosures, swimming and other pools and containers for the storage of liquid or gas for domestic heating purposes) shall be erected in association with any of the dwellings hereby permitted.

Boundary Treatment

19) No development shall take place until full details of the position, design, materials and type of all boundary treatment to be erected, including acoustic fencing, have been submitted to and approved in writing by the local planning authority. The dwellings hereby permitted shall not be occupied until the approved boundary treatment has been completed in accordance with the approved details, which shall be retained thereafter.

Bin Stores

20) No dwelling hereby permitted shall be occupied until associated facilities for the storage of refuse and waste, including recyclables, have been provided in accordance with details that shall previously have been submitted to and approved in the writing by the local planning authority.

----------END OF CONDITIONS----------