

Report to	<b>Planning Committee</b>
Date	<b>11 July 2019</b>
By	<b>Director of Planning</b>
Local Authority	<b>Chichester District Council</b>
Application Number	<b>SDNP/18/00352/FUL</b>
Applicant	<b>Mr William Richardson</b>
Application	<b>Change of use of Station Yard offices to 5 affordable dwellings and the development of 4 sustainable market houses</b>
Address	<b>Old Station Yard, Nyewood Road, Nyewood, South Harting, GU31 5HX</b>

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**Recommendation for SDNP/18/00352/FUL:**

- 1. That planning permission be granted subject to the conditions set out at section 10.1 of this report and a legal agreement to secure:**
  - Five dwellings for affordable rent;**
  - £58,000 towards the provision of affordable housing within the South Downs National Park;**
  - Public access rights for non-motorised users along the part of the route of the disused Petersfield to Pulborough (via Midhurst) Railway that is within the application site; and**
  - A strategy for the future landscape management and maintenance of the site.**
- 2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress made within 3 months of the Planning Committee meeting of 11 July 2019.**

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**Executive Summary**

The application site is located in Nyewood and constitutes the former Rogate and Harting railway station and associated sidings which closed in 1955. Currently in use as a builder's yard the application seeks to change the use of the site to a residential use comprising of five affordable rent dwellings and four open market dwellings. To achieve this the existing Station House would be converted to five dwellings (Affordable) in addition to the construction of four new dwellings (Market) and the existing yard benefiting from a programme of soft landscaping intervention.

The existing business is planning to cease operations and the proposal has demonstrated, through a period of marketing, that there is no market demand for the existing business premises. Whilst Nyewood does not have a settlement boundary as previously developed land the introduction of a residential use would be considered an appropriate re-use as it is well related to the pattern of development and includes a high proportion of affordable housing (the quantum of which has been determined by a viability assessment).

The proposal would introduce built form of an acceptable design that, by removing the existing ad hoc structures and building paraphernalia and strengthening the soft landscaping treatments, would enhance the landscape character of the area. The proposal would also deliver public access for non-motorised users to part of the route of the former Petersfield to Pulborough (via Midhurst) railway line whilst respecting and improving the setting of the former railway station which is an undesignated heritage asset and an important piece of cultural heritage within the National Park.

Safe highway access and acceptable parking provision is proposed whilst matters relating to protecting dark night skies, high quality materials, landscaping, parking, drainage and ecology are acceptable and are proposed to be secured via condition.

The application is therefore recommended for approval subject to a legal agreement and the conditions listed at section 10.1 of this report. The application is put forward for committee consideration due to it being a proposal for a significant quantum of residential development outside of a defined settlement boundary.

## **1. Site Description**

- 1.1 The application site is located in Nyewood accessed by Nyewood Road which runs from Rogate to the north to South Harting to the south. Nyewood does not have a defined settlement boundary in the Local Plan.
- 1.2 The application site itself is formed on the site of the former Rogate and Harting railway station and its sidings which closed in 1955. It is accessed from Nyewood Road and constitutes an elongated parcel of land that extends eastwards from Nyewood Road along the line of the disused Petersfield to Pulborough (via Midhurst) railway. Whilst the former railway line is only identifiable from Nyewood Road by the wall that forms the top of the railway tunnel the route of railway line goes through the site and impacts upon the topography of the site which is predominately at a lower level than Nyewood Road and surrounding development.
- 1.3 The application site has been in use as a builders yard since 1965 and has four principle components:
  - Two-storey Station House located close to the entrance to the site which is utilised as offices for the on-site business;
  - Storage containers and open air storage of building materials at the eastern end of the site;
  - Single-storey site office located within the centre of the site; and
  - Areas of open parking for employees and work vehicles;
- 1.4 Perceived to be within the site (i.e. accessed from the spur off Nyewood Road that serves the application site) but not technically within the defined application site are two detached two-storey dwellings (Rosemont and Railway Cottage) facing the access to the site in addition to a further two semi-detached single-storey dwellings (no.1 and 2 Beacon View) in the centre of the site aligned to the southern boundary.
- 1.5 To the north of the application site, fronting Nyewood Road, are commercial units as part of a modest business park, with the remainder of the northern boundary formed of agricultural land. The eastern and majority of the southern boundary are also in agricultural use albeit with dwellings fronting Nyewood Road and, in part, also extending along the sites access boundary.
- 1.6 Three public footpaths are located within close proximity to the site; the Serpents Trail (which follows Dumpford Lane to the north before joining Nyewood Road and then spurring west), one approximately 100m to the south (on a NE-SE trajectory) and one approximately 800m to the east (on an N-S trajectory).

## **2. Relevant Planning History**

- 2.1 SDNP/16/01864/PRE; Pre-Application for redevelopment of site to provide 9 dwellings (five affordable); Advice provided April 2016 raising concerns that evidence had not been

provided to justify the loss of the existing use nor the local need for dwellings.

- 2.2 SDNP/15/00927/FUL; Change of use of Station Yard House offices to 6 affordable dwellings, demolition of standalone site offices, workshops, removal of storage containers and the erection of 2 semi-detached houses, and 2 detached houses with detached garages, (10 new dwellings in total); Application withdrawn 7 September 2015.
- 2.3 SDNP/12/02456/FUL; Demolition and removal of existing Builders Yard's buildings, storage containers and materials storage areas. Erection of two single storey Office Buildings; Approved 7 January 2013 (this permission has been implemented but not completed).
- 2.4 07/05194/FUL; Residential care home (32 no. residential units) for the elderly with associated external areas; Refused 20 August 2008.

### 3. Proposal

3.1 The key elements of the proposal are:

- The erection of 9 dwellings (55% affordable in perpetuity) with the following mix:

<b>No. of Beds</b>	<b>Open Market</b>	<b>Affordable Rent</b>	<b>Total</b>
<b>1</b>	0	2	2
<b>2</b>	0	2	2
<b>3</b>	2	1	3
<b>4</b>	2	0	2
<b>Total</b>	4	5	<b>9</b>

- Station House would be converted, and an existing mono-pitch extension removed, to form the five affordable rented two-storey dwellings. Each unit would have a private terrace whilst new fenestration (wood cladding) and door openings are proposed to the north elevation;
- The four open market dwellings would be formed by introducing two pairs of two-storey semi-detached dwellings. These would be located at the eastern end of the site and would be aligned to face the former railway line. Of an industrial design the dwellings would be finished with brick walls, natural slate roof and metal windows (with anti-reflective glazing);
- All of the units proposed would benefit from Thermoslates being fitted under the respective natural slate roofs – the submitted documents estimate this will serve 76% of the annual heating and hot water needs for the units;
- 14 car parking spaces are proposed with the three and four bed dwellings each having two-spaces respectively;
- A bin collection point would be located within the site opposite Station House;
- Communal allotments and a communal garden would be formed on the open land to the north of the former railway; and
- The part of the former railway line within the site would be treated with stabilised gravel and made available for non-motorised public access (to enable public access to both enjoy the setting of the former station and provide for future connectivity should other parts of the route become public). An interpretation panel would be installed at the entrance to the site setting out the history of the railway line.

#### 4. Consultations

- 4.1 **Access Officer:** Support; the proposal would deliver the objective of policy SD20 of the SDNPA Local Plan.
- 4.2 **Conservation Officer:** No objection; comments set out within Planning Assessment.
- 4.3 **Design Officer:** No objection; comments set out within Planning Assessment.
- 4.4 **Drainage Engineer:** No objection subject to a condition securing final details of the methodology for surface water disposal.
- 4.5 **Ecologist:** No objection subject to securing the mitigation measures set out in the submitted Ecological Assessment.
- 4.6 **Economic Development officer:** Object; The site is located close to the A272, has its own parking and is adjacent to an industrial estate. The submitted marketing report does not comply with the requirements of policy SD35 (and Appendix 3) of the SDNPA Local Plan as it has not provided details of the sales instructions given to the marketing agent, has not undertaken a targeted mail shot, has not maximised web marketing, has not provided examples of similar transactions to justify the sale price, has not offered the site for flexible lease and the marketing exercise was not refreshed over time.
- 4.7 **Environmental Health:** No objection subject to a condition to require works to be undertaken in accordance with the recommendations of the land contamination survey.
- 4.8 **Harting Parish Council:** Support; The proposal would provide 5 affordable homes and have no negative landscape impact. The development of this site is preferable to the sites allocated in Harting Parish by the Local Plan.
- 4.9 **Housing Officer:** As an exception site any proposal under 100% affordable would need to be supported by a viability assessment. Any affordable units that are provided should be of an affordable rent tenure.
- 4.10 **Landscape Officer:** The proposal is generally well considered although the introduction of further built form along the railway line (in particular the eastern most dwellings) is contrary to the linear pattern of development along Nyewood Road.
- 4.11 **Natural England:** No objection with regard to the impact upon any statutory nature conservation sites.
- 4.12 **Viability Consultant:** Having reviewed the submitted information and additional abnormal development costs document it is considered that it is viable for the proposal to provide five affordable rented dwellings (2 x 1-bed, 2 x 2-bed, 1 x 3-bed). Whilst it would not be viable to provide a sixth affordable dwelling (either affordable rent or shared ownership) a further financial contribution of £58,000 would be viable.

#### 5. Representations

- 5.1 No third-party representations have been received.

#### 6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan comprises the SDNPA Local Plan 2014-2033. The relevant policies are set out in section 7 below.

##### National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
  - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

#### National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the updated National Planning Policy Framework (NPPF), which was issued and came into effect on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

#### The South Downs Partnership Management Plan (PMP) 2013

- 6.4 The PMP outlines a vision and long term outcomes for the National Park, as well as 5 year policies and a continually updated Delivery Framework. It is a material consideration in the determination of the application. The following policies are relevant: 1, 3, 4, 5, 6, 8, 28, 37, 39, 40, 50 and 56.
- 6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

### **7. Planning Policy**

#### The South Downs National Park Local Plan 2014-2033

- 7.1 The following policies of the South Downs Local Plan 2014-2033 are relevant:

- SD1: Sustainable Development
- SD2: Ecosystems Services
- SD4: Landscape Character
- SD5: Design
- SD6: Safeguarding Views
- SD7: Relative Tranquillity
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD11: Trees, Woodland and Hedgerows
- SD12: Historic Environment
- SD16: Archaeology
- SD17: Protection of the Water Environment
- SD19: Transport and Accessibility
- SD20: Walking, Cycling and Equestrian routes
- SD21: Public Realm, Highway Design and Public Art
- SD22: Parking provision
- SD25: Development Strategy
- SD26: Supply of Homes
- SD27: Mix of Homes
- SD28: Affordable Homes
- SD34: Sustaining the Local Economy
- SD35: Employment Land
- SD48: Climate Change and Sustainable Use of Resources
- SD50: Sustainable Drainage Systems

- SD51: Renewable Energy
- SD55: Contaminated Land

## 8. Planning Assessment

### Principle of development

- 8.1 Whilst the site is located outside a defined settlement boundary, where the Local Plan does not seek to direct new development, the current use of the land meets the NPPF definition of previously developed land where policy SD25 accepts the introduction of new development if it is an “appropriate re-use” and “conserves and enhances the special qualities of the National Park”.
- 8.2 As an employment site, but not one designated by the Local Plan as a ‘Principle or Local Employment site’, it is safeguarded by policy SD35(3) which requires “evidence of a robust marketing campaign of at least 12 months clearly demonstrates that there is no market demand for the business premises”. The application includes evidence that the site has been marketed since February 2014 at a reasonable rate comparable to other similar local employment sites. Whilst the scope of the marketing undertaken falls short of the methodology required by Appendix 3 of the Local Plan (as set out by the Economic Development officer at section 4.6) given the site has been marketed for five years, and the application was submitted in excess of 12 months before the adoption of the Local Plan (and pre-application advice on the information required provided in 2016), it is considered acceptable. Therefore, it is considered that the loss of the existing employment use on the site is acceptable.
- 8.3 Nyewood does not benefit from any housing allocation in the Local Plan and the need identified in the Harting Parish Housing Needs Survey 2018 is principally sought to be met elsewhere within the Parish. However, policy SD26 does accept that ‘windfall’ housing will contribute to meeting the Authority’s objectively assessed need and it is considered that Nyewood is not such an unsustainable location to prohibit it accommodating a modest level of windfall housing on appropriate sites, especially those which are previously developed. It is therefore considered that the introduction of housing is an “appropriate re-use” of the site.
- 8.4 The most appropriate tenure of housing for the site would be affordable housing in accordance with policy SD28. The applicant has submitted a viability assessment which has been independently reviewed (including requiring additional information on the sites abnormal costs”) and it is considered that the quantum of housing proposed (9 dwellings plus £58,000 contribution), the percentage of those which are affordable (5, all affordable rent) and the size of dwellings are what the site can viably deliver.

### Design, landscape character and heritage

- 8.5 Whilst there are notable elements on the site that do positively contribute to the character of the area (notably the former Station House and the former railway line) there are many elements of the site that have a negative impact (notably the ad hoc storage of materials and some of the later structures that have been built). This sets a low baseline with regard to the landscape qualities that the site currently contributes to the special qualities of the National Park. There is, however, much currently unexplored potential given the railway heritage.
- 8.6 Within this context the following are notable elements of the proposed design and layout:
- The proposed development would reinforce the railway/industrial typology reflecting the importance of the cultural heritage of the site and the sites potential future role as a ‘gateway’ to Nyewood for those travelling along the former railway line as a pedestrian/cycle route;
  - Whilst the positioning of the new dwellings extend away from the pattern of development in Nyewood (when it could potentially have clustered more around the western end of the site) this is considered acceptable as it both removes the existing harmful ad hoc development (at the eastern end of the site) and would reinforce the wider perception and understanding of the route of the former railway;

- The introduction of allotments and a communal garden on the northern part of the site would provide an element of amenity space for the occupiers of the flats in a location that is not visible from wider views and is currently not contributing positively to the character of the area. A condition is proposed to ensure that no structures or domestic paraphernalia is placed on this land;
- Appropriate soft landscaping is proposed that does not seek to introduce any ornamental planting or a suburban character but rather reinforce the boundaries of the site (particularly the southern boundary which is more widely visible) and the linear characteristics of the former railway line;
- A strategy for the future landscape management and maintenance of the site is proposed to be secured via legal agreement;
- Whilst Station House has few surviving recognisable features its heritage and landscape value comes from its form and orientation adjacent to the former railway line. The proposed conversion is considered to retain these valuable elements, including the prominence of the former station platform, whilst securing the future of the building in a viable form;
- The four dwellings proposed to be introduced (two pairs of semi-detached dwellings) successfully incorporate a railway yard typology which both supports the wider landscape typology of the application site and promotes a high standard of design. The positioning of the dwellings to front directly onto the former railway line re-enforces the integrity of such an approach;
- The former railway line will be treated with stabilised gravel and this is considered to be appropriate delivering a simple finish which enables the flat linear form of the railway line to be the dominant feature;
- An interpretation panel is proposed at the entrance to the site to educate those visiting the site about its railway heritage. Details of the panel are proposed to be secured via condition;
- As a high quality finish, including the use of locally distinctive materials, will be key to the success of the design typology employed these details are proposed to be secured via condition;
- No external lighting is proposed along the former railway line or within the site. The technical details of the external lighting that is proposed on the dwellings would be secured via condition to ensure that it minimises light spill;
- The proposed dwellings do not include an excessive level of glazing and the glazing that is proposed would be low-transmittance glazing as secured via condition. There would therefore be an acceptable impact upon both the wider landscape and the dark night skies of the National Park from light spill; and
- Due to the siting and orientation of the dwellings it is considered that there would be an acceptable relationship between the future occupiers of the units and also an acceptable impact upon the residential amenity of the occupiers of the nearby dwellings.

8.7 The proposal is therefore considered to be landscape led and of an acceptable design which enhances the landscape character of the application site in accordance with policies SD4 and SD5.

8.8 In addition, for the reasons set out above, the proposal is considered to enhance the special architectural and historic interest of the former railway station and railway line, which are considered undesignated heritage assets, in accordance with policy SD12.

#### Access

8.9 The proposed vehicular and pedestrian access through the existing access from Nyewood Road is considered to be acceptable with no prejudice to highway safety in accordance with SD19. Adequate parking is also provided for the proposed dwellings in accordance with SD22.

8.10 Policy SD20 safeguards the former Petersfield to Pulborough (via Midhurst) railway line that runs through the site for future use by non-motorised users. Accordingly, the application

includes design improvements to ensure the part of the route within the application site is accessible alongside a legal agreement which is proposed to secure access rights for non-motorised users.

#### Eco-System Services

- 8.11 As a landscape led proposal the scheme delivers an eco-system services approach to providing an environmental net gain. This includes significantly reducing vehicular movements from heavy goods vehicles associated with the existing use, reducing the amount of hard surfacing on the site, introducing native planting to support reducing surface water run-off and promoting biodiversity, incorporating energy saving measures in the proposed design and supporting horticulture via the proposed communal gardens. It is therefore considered that the proposal is in accordance with SD2.

#### Miscellaneous

- 8.12 It is considered that the proposal is able to acceptably manage surface water drainable in principle. Further details of the specific mechanism(s) to be utilised are therefore proposed to be secured via condition. This is considered in accordance with policy SD50.
- 8.13 Surveys have been undertaken for all protected species where there was a reasonable likelihood that they would be present on site and it was ascertained that the site supports populations of slow worms and grass snakes. The submitted ecological appraisal sets out appropriate mitigation measures for these species in addition to other measures to enhance biodiversity across the site and these are proposed to be secured via planning condition. The proposal is therefore considered to be in accordance with policy SD9 and the NPPF.
- 8.14 The application proposes to use thermoslates to generate renewable energy to serve the majority (76%) of electricity and hot water needs of the proposed dwellings. Whilst this is considered acceptable a condition is proposed to facilitate flexibility regarding how the proposal meets the prescriptive requirements of policy SD48 (to be energy efficient and manage water consumption) should technologies advance between permission and implementation. The proposal is therefore considered to comply with policy SD48.
- 8.15 As the site is visible within the wider landscape, contains an undesignated heritage asset, is adjacent to a number of dwellings and would discharge directly onto a highway it is considered appropriate to secure further details, via condition, of the construction process such as where the site compound is located, details of any temporary hoarding and wheel washing facilities.
- 8.16 To safeguard against existing and unexpected contamination during works a condition is proposed to secure the remediation measures set out within the submitted site investigation report and also to ensure that in the event that any unexpected contamination is found during works that works are ceased until appropriate remediation measures are secured. The proposal is therefore considered to comply with policy SD55.

### **9. Conclusion**

- 9.1 Given the above it is considered that the proposal is broadly in accordance with the Development Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. It is therefore recommended that planning permission is granted.

### **10. Reason for Recommendation and Conditions**

- 10.1 It is recommended to grant planning permission subject to a legal agreement to secure:
- Five dwellings for affordable rent;
  - £58,000 towards the provision of affordable housing within the South Downs National Park;
  - Public access rights for non-motorised users along the route of the disused Petersfield to Pulborough (via Midhurst) Railway; and
  - A strategy for the future landscape management and maintenance of the site.



And the following conditions:

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development, hereby permitted, shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application" unless otherwise agreed, in writing, by the Local Planning Authority.

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

3. No development above slab level shall commence on any of the buildings, hereby permitted, until samples of the external materials (to include, but not limited to, wall, roofs, windows, doors, rainwater goods and fascia's) for that respective building has been submitted to and approved, in writing, by the Local Planning Authority. The details shall be implemented and maintained as approved.

Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

4. No development above slab level shall commence on any of the boundary treatments, hereby permitted, until samples of the external materials for that respective boundary treatment has been submitted to and approved, in writing, by the Local Planning Authority. The details shall be implemented and maintained as approved.

Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

5. No development above slab level shall commence on any of the hardstanding, hereby permitted, until samples of the external materials for that respective hardstanding has been submitted to and approved, in writing, by the Local Planning Authority. The details shall be implemented and maintained as approved.

Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

6. Prior to the occupation of the 9<sup>th</sup> dwelling the approved landscaping scheme (as approved on plan no's 1648-0001-P03, 0648-3001-PO2, 1648-3002-PO2 and 1648-3003-PO2) shall be implemented and maintained.

Reason: To safeguard the landscape character of the site in accordance with policy SD4 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

7. No new external lighting shall be installed until its details (to include lux rating, hours of operation, angle of lighting and colour temperature) have been submitted to and approved, in writing, by the South Downs National Park Authority. The details approved shall be implemented and maintained as approved.

Reason: To safeguard the landscape character and dark night skies of the site and National Park and enhance biodiversity in accordance with SD4, SD8 and SD9 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

8. All windows, hereby permitted, shall utilise low transmittance glass.

Reason: To safeguard the landscape character and dark night skies of the site and National Park in accordance with policies SD4 and SD8 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

9. No development above slab level shall commence on the internal road layout until sections (to show the road and kerb treatment), have been submitted to and approved, in writing, by the Local Planning Authority. The details shall be implemented and maintained as approved.

Reason: To safeguard the landscape character of the site in accordance with policies SD4 and SD5 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

10. All new electricity and telephone lines shall be laid underground unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To safeguard the landscape character of the site in accordance with policy SD4 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

11. On the area of the allotments and communal gardens (as identified on approved plan no. 2037-002 Rev A dated January 2018) there shall be no structures or domestic paraphernalia erected unless otherwise approved, in writing, by the Local Planning Authority.

Reason: To safeguard the landscape character of the site in accordance with policy SD4 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

12. No dwellings, hereby permitted, shall be occupied until details of an Interpretation Panel to provide education about the former Petersfield to Pulborough (via Midhurst) railway have been submitted to and agreed, in writing, by the Local Planning Authority. The interpretation panel shall be installed prior to the occupation of the 9<sup>th</sup> dwelling, hereby permitted, and maintained as agreed.

Reason: To provide education about the former railway in accordance with policy SD20 of the SDNPA Local Plan 2014-2033, the NPPF and the second purpose of the National Park.

13. The development, hereby permitted, shall be undertaken in accordance with the recommendations (section 12) of the submitted Phase 2 Site Investigation Report (ref: 15.8793 dated January 2018).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy SD55 of the SDNPA Local Plan 2014-2033 and the NPPF.

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a scheme for the mitigation of the contamination has been submitted to and approved, in writing, by the Local Planning Authority. The mitigation shall be undertaken in accordance with the approved details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy SD55 of the SDNPA Local Plan 2014-2033 and the NPPF.

15. No development shall commence until details of the mechanism(s) to be utilised to manage surface water drainage have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be undertaken and maintained in accordance with the approved details.

Reason: To ensure that there is no net increase in surface water run-off, taking account of climate change, in accordance with policy SD50 of the SDNPA 2014-2033 and the NPPF.

16. The development, hereby permitted, shall be undertaken in accordance with the mitigation and enhancement recommendations set out in sections 4.2, 4.3, 4.5 and 4.9 of the Ecological Impact Assessments (ref PI 131 dated 12 October 2018), section 4 of the

Doormouse Survey (ref P1131 dated 11 October 2018), sections 6 and 7 of the Reptile Presence/Absence Survey and Mitigation Statement Report (ref P1131 dated 26 September 2018) and sections 4.3.7, 4.3.8 and 5.2 of the Updated Bat Scoping Assessment and Bat Emergence Survey Report (ref P1311 dated 4 October 2018).

Reason: To safeguard protected species on the site and provide ecological enhancements in accordance with policy SD9 of the SDNPA Local Plan 2014-2033 and the NPPF.

17. None of the dwellings, hereby permitted, shall be occupied until their respective vehicular and cycle parking spaces are available for use.

Reason: To safeguard against interrupting the free flow of traffic and to safeguard the landscape character of the site in accordance with policies SD4, SD5 and SD22 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

18. No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved, in writing, by the South Downs National Park Authority. The CEMP shall include:

- Provision of parking for contractor's vehicles to prevent any on-street parking during construction;
- The location of any construction compound;
- Wheel washing facilities to safeguard the highway network from deposition of mud and spoil;
- Any temporary site security fencing including decorative displays; and
- Details of any temporary lighting; and

The CEMP shall be implemented as approved.

Reason: To safeguard the landscape character of the site, the amenity of occupiers of neighbouring dwellings, the undesignated heritage asset and the condition of the local highway network in accordance with policies SD4, SD5, SD12 and SD19 of the SDNPA Local Plan 2014-2033, the NPPF and the first statutory purpose of the National Park.

19. No development above slab level shall commence until a schedule of measures to minimise energy consumption and maximise renewable energy generation have been submitted to and approved, in writing, by the South Downs National Park Authority. The details shall be implemented and maintained as approved.

Reason: To ensure the development contributes to the management of the effects of climate change in accordance with Policy SD48 of the SDNPA Local Plan 2014-2033 and the NPPF.

## **11. Crime and Disorder Implication**

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

## **12. Human Rights Implications**

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## **13. Equality Act 2010**

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## **14. Proactive Working**

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from the SDNPA Development Management Officer and meeting to discuss the proposals.

**TIM SLANEY**  
**Director of Planning**  
**South Downs National Park Authority**

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Appendices I. Site Location Map

SDNPA Legal Services, Development Manager.

Consultees

Background Documents All planning application plans, supporting documents, consultation and third party responses

<https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

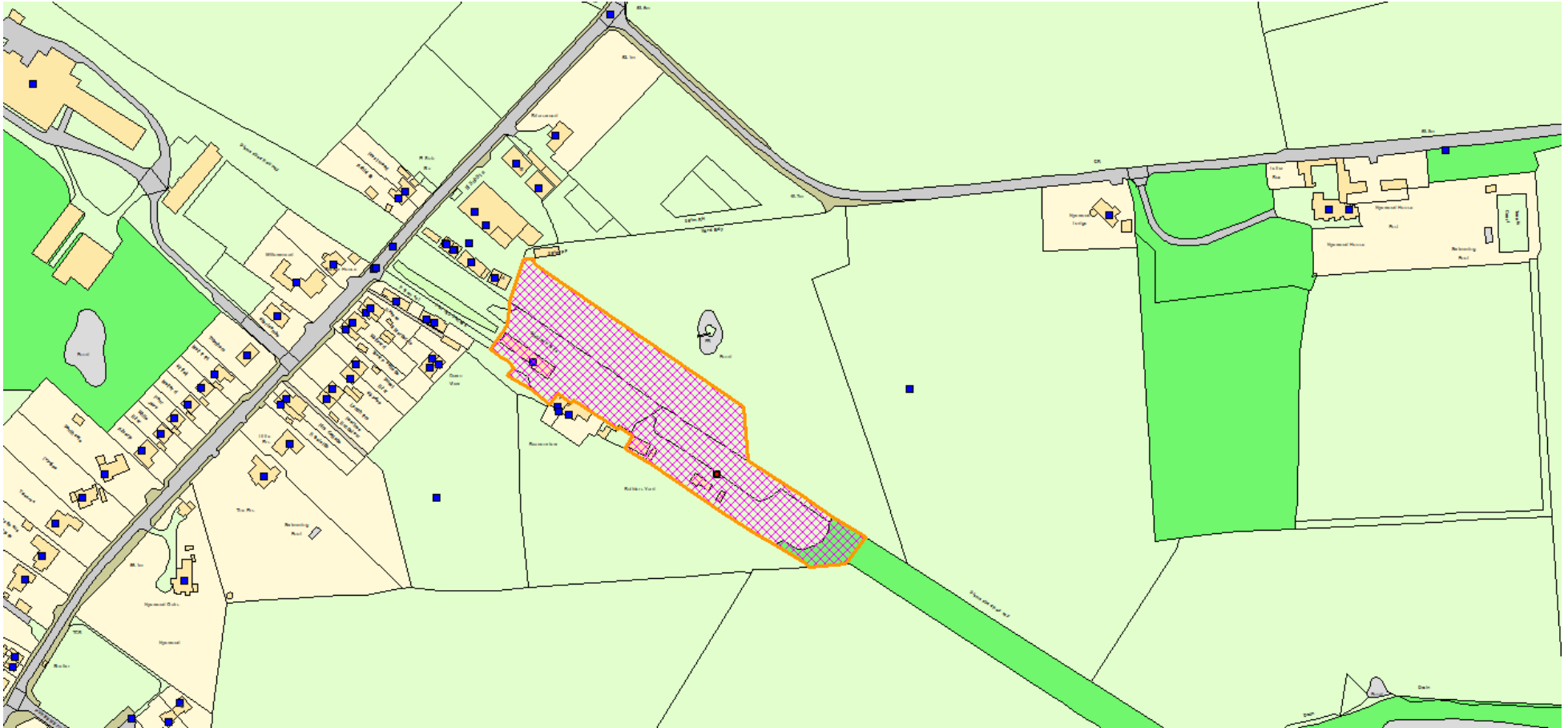
South Downs National Park Partnership Management Plan 2013

<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>

South Downs National Park Local Plan 2014-2033

<https://www.southdowns.gov.uk/planning/national-park-local-plan/>

Site Location Map



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