

SDNPA Planning Committee - 8 June 2023

Planning Committee Update Sheet

Agenda Item	Page No	Para	Update	Source/Reason
6	11 & 22	Recommendation	<p><u>Updated Recommendation</u></p> <p>i) <u>The completion of a legal agreement to secure the following, the final form of which is to be delegated to the Director of Planning:</u></p> <ul style="list-style-type: none"> <u>5 on site affordable units plus a £100,970 £105,966 in lieu financial contribution.</u> 	Update
6	13	Executive Summary	<p><u>Amendment to 4th bullet point:</u></p> <p>The 33 34 flats proposed is a larger development than the previous scheme...</p>	Correction
6	14	3.6	<p><u>Amendment to second sentence, as follows:</u></p> <p><u>In addition a financial contribution of £100,970 £105,966 is proposed in lieu of further on site provision.</u></p>	Update
6	16	4.4	<p><u>Additional comment from the Ecologist.</u></p> <p>Recommend additional provision for nesting birds; a minimum of 6 integral features for Swifts to be conditioned.</p> <p>(Officer note – condition 6 updated, as below, which also now includes explicit provision for bats, birds and pollinators as per the Ecologist’s original advice).</p>	Update
6	16	4.5	<p><u>Further consultee response received:</u></p> <p>Economic Development (EHDC): No response received. Response received, no comment.</p>	Update

6	21	7.32	<p><u>Amended paragraph, as follows:</u></p> <p>The large industrial building, plus a separate smaller building, have been vacant for a sufficient period of time. These are now eligible for Vacant Building Credit (VBC). Consequently, when applying VBC, this results in a significantly reduced level of affordable housing notwithstanding the Policy. than the 50% required by policy SD28. The 50% affordable housing requirement under SD28 amounts to 17 units. Off setting the eligible vacant floorspace against this requirement results in a 65% discount of the 17 affordable units, with the remaining 35% (of 17) equating to 5 affordable units and a financial contribution in lieu of further on-site provision. These 5 units, their tenure, and a financial contribution of £105,966 (based on the Affordable Housing SPD) would be SD28 compliant when applying VBC. This is notwithstanding that the on-site provision would now total 15% of the overall 34 flats. This position is irrespective of a viability appraisal submitted by the applicant which seeks to demonstrate that a policy compliant scheme of 50% of the total number of units is unviable and Bruton Knowles' opinion of this appraisal.</p>	Clarification
6	22	9.2	<p><u>Amendments and additions to conditions, as follows:</u></p> <p><u>Use</u></p> <p>3. The floor space within the frontage building onto Lavant Street, as shown on approved floor plan drawings P22023-RFT-00-ZZ-DR-A-0203.P03 and 0204.P02, shall only be used as a café (Use Class E(b)) on the ground floor and office accommodation on the ground and upper floors (Use Class E(c)) as defined by the Use Classes Order 1987 (as amended) and for no other use whatsoever unless otherwise agreed by the Local Planning Authority. The extent of these uses shall accord with approved plan P22023-RFT-00-ZZ-DR-A-0203-P.02.</p> <p>Reason: To provide new business use floor space in accordance with the proposals.</p> <p><u>Materials</u></p> <p>4. No development above slab level shall be commenced unless and until a full schedule of materials and samples of such materials, finishes and colours to be used</p>	Amendments

			<p>for external walls, windows and doors, roofs, and rainwater goods of the proposed buildings, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved schedule of materials and finishes. All materials used shall conform to those approved.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.</p> <p><u>Landscaping</u></p> <p>5. No development above slab level shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p> <ol style="list-style-type: none"> a. Written specifications (including cultivation and other operations associated with plant and grass establishment; b. Planting methods, tree pits & guying methods; c. Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; d. Retained areas of trees and hedgerows; e. Manner and treatment of existing frontage ditches and ha-ha feature; f. Details of all hard-surfaces, including paths, kerb edges, access ways, boundary treatments, bin and cycle stores and parking spaces, including their appearance, dimensions and siting. g. Details of the siting, specifications and management of the Sustainable Urban Drainage systems, including rainwater gardens, rills, permeable paving, green roofs. 	
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			<p>h. A landscape schedule for a minimum period of 5 years including details of the arrangements for its implementation;</p> <p>i. A timetable for implementation of the soft and hard landscaping works.</p> <p>j. A landscape plan with services shown.</p> <p>k. Specification (species, planting methods, drainage) for the green roofs as shown on approved drawing P22023-RFT-00-XX-DR-A-0103.P06. In the event that part of or the whole of any green roof does not become established or fails within the first 5 years of planting, it shall be repaired or replaced with a like for like replacement.</p> <p>The scheme of Soft and Hard Landscaping Works shall be implemented in full accordance with the approved details and timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and provide a setting for the new development.</p> <p><u>Ecology</u></p> <p>6. The Development shall proceed in accordance with the measures relating to birds and bats detailed in section the Ecological Appraisal report prepared by The Ecology Group (dated 15.08.2022). A minimum of 10 integrated bat features (eg. bat tubes), 10 bird boxes and 6 swift bricks, and 10 bee bricks, shall be provided. Thereafter, the provisions outlined shall be permanently retained and maintained in accordance with the approved details.</p> <p>Reason: To ensure a net gain in biodiversity on the site.</p> <p><u>Sustainable construction</u></p> <p>11. No development above slab level shall commence until written documentary evidence has been submitted to and approved in writing by the Local Planning</p>	
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			<p>Authority demonstrating that the development accords with the submitted Energy and Sustainability Statement (prepared by SRE, dated 30.09.22) and as a minimum will achieve a minimum 19% improvement over the 2013 Building Regulations Part L Dwelling Emission Rate (DER)/Target Emission Rate (TER), a further 20% reduction in CO2 emissions through the use of renewable sources and a maximum of 110 litres/person/day internal water use in the form of a design stage SAP calculations and a water efficiency calculator, and 7kW chargers provided for electric vehicle charging points for each unit, unless otherwise agreed in writing by the Local Planning Authority. The dwellings development shall thereafter be constructed in accordance with these details.</p> <p>Reason: To ensure the development has minimised its overall demand for resources and addresses climate change mitigation.</p> <p><u>Drainage</u></p> <p>12. No development shall commence until a detailed sustainable surface water drainage scheme, including a Management Plan detailing its future management and maintenance, has been submitted to and approved in writing by the Local Planning Authority. The details provided shall include hydraulic calculations for all rainfall events (1 in 1, 1 in 30 and 1 in 100 year events (plus 40% climate change allowance)) and the results to include design and simulation criteria, network design and results tables, and manholes schedule tables. The surface water drainage scheme shall be designed to integrate with the landscape details pursuant to condition 5. The scheme shall thereafter be undertaken in accordance with the approved details.</p> <p>Reason: To ensure satisfactory provision of surface water drainage.</p> <p><u>New condition 19 – ventilation/extraction details for café equipment</u></p> <p>19. Prior to the completion of the café, details shall be submitted to and approved in writing by the Local Planning Authority of any kitchen ventilation/extraction system to be used in the cafe, including the required maintenance regime for the system. The submitted details shall address the EMAQ guidance document ‘Control of Odour and Noise from Commercial Kitchen Exhaust Systems, 2018’ and adhere to</p>	
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			<p>the mitigation measurements in British Standard 4142:2014. The agreed details shall be fully implemented before the café is brought into use and the equipment be installed, operated, and maintained in accordance with the approved details and shall be retained thereafter.</p> <p>Reason: To protect the amenity of residents.</p>	
7	42	7.15	<p>Amended Paragraph as follows:</p> <p>No substantiated complaints have been made to SDNPA or CDC regarding breaches of conditions and as such, officers have had no cause to investigate the operation of the site or had reason to believe that operation of the site was not in accordance with conditions. In addition, over the period of the temporary permission, Chichester Environmental Health Officers have received no complaints regarding excessive noise or other breaches of Environmental Health legislation relating to this site.</p>	Clarification
7	46	7.47	<p>As previously described, no substantiated complaints have been made to SDNPA or CDC regarding breaches of conditions or noise related complaints. As such, officers have had no cause to investigate the operation of the site or had reason to believe that operation of the site was not in accordance with conditions. It is not considered reasonable to expect that visitor numbers should reach the theoretical maximum before the site is considered to be operating in accordance with planning conditions and that these conditions can be considered to be effective and enforceable</p>	Clarification