



Appeal Decision

Hearing held on 4 December 2019

Site visit made on 5 December 2019

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2020

Appeal Ref: APP/C3810/W/19/3227374

**Land to the Rear of Bairds Farm Shop, Crookthorn Lane, Littlehampton
BN17 5SN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Matthew Parry of Brackley Investments Ltd against the decision of Arun District Council.
 - The application Ref CM/16/18/PL, dated 24 May 2018, was refused by notice dated 15 November 2018.
 - The development proposed is a 64-bed Specialist Dementia Care Centre together with access, parking and landscaping (Use Class C2).
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Decision

1. The appeal is allowed, and planning permission is granted for development of a 64-bed Specialist Dementia Care Centre together with access, parking and landscaping (Use Class C2) at Land to the Rear of Bairds Farm Shop, Crookthorn Lane, Littlehampton BN17 5SN, in accordance with the terms of the application, Ref CM/16/18/PL, dated 24 May 2018, subject to the conditions set out in the attached schedule.

Procedural Matters

2. The Council confirmed in advance of the hearing that it was no longer intending to defend the fourth refusal reason insofar as it relates to the need for an affordable housing contribution. This objection to the scheme is withdrawn.
3. I have had regard to an appeal decision for a site in Angmering, which was submitted after the close of the hearing. The parties have had an opportunity to comment on the implications of this for my determination of the appeal.

Main Issues

4. The main issues are:
 - a) whether or not the proposal would comply with development plan policy in relation to the designated gap between Littlehampton and Middleton-on-Sea;
 - b) the effect of the proposal on the character and appearance of the area;
 - c) whether the site is a suitable and sustainable location for a care home, having regard to local and national planning policy;

- d) whether the proposal would result in the loss of best and most versatile agricultural land and, if so, the weight to be afforded to this;
- e) whether financial contributions are necessary to mitigate the impact of the development on off-site infrastructure; and
- f) whether there are material considerations which outweigh the conflict with the development plan arising from the site's location outside the Built Up Area Boundary and any further conflicts identified in connection with the above main issues.

Reasons

5. Policy SD SP2 of the Arun Local Plan 2011-2031 (ALP) seeks to focus development within the Built Up Area Boundaries defined on the Policies Maps. Policy C SP1 defines land outside of the boundaries as countryside which is recognised for its intrinsic character and beauty. There is no dispute that the appeal site lies in the countryside and moreover it is agreed that the proposal does not fall within any of the categories of development which are listed as being acceptable in principle in countryside locations. The resulting conflict with the aforementioned policies must be factored into the planning balance.

Designated gap policy

6. The site lies in the designated gap between Littlehampton and Middleton-on-Sea. ALP Policy SD SP3 seeks to protect the generally open and undeveloped nature of the gap to prevent coalescence of settlements and retain their separate identity. The policy is permissive of development within gaps where the land is allocated within a Development Plan Document or Neighbourhood Plan (neither applicable in this case), or where criteria (a) to (d) of the policy are met. The appellant accepted at the hearing that the proposal must satisfy all four criteria in order to comply with the policy.
7. In essence, the policy stipulates that proposals should not undermine the physical and/or visual separation of settlements or compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development. Development is only acceptable where it cannot be located elsewhere and where it maintains the character of the undeveloped coast.
8. The supporting text explains that Policy SD SP3 is not intended to protect the countryside or landscape (these are the subject of separate policies) but to preserve the distinctive character and settlement structure of the District, as well as the undeveloped coastline. Clear breaks between settlements maintain a sense of place for the communities on either side of the gaps. ALP paragraph 7.4.4 states that compliance with gap policy can be assessed using measures such as inter-visibility (the ability to see one edge of the gap from another) and intra-visibility (the ability to see both edges from a single point).
9. The village of Climping (alternative spelling Clymping) lies approximately midway between Littlehampton and Middleton-on-Sea and is itself bisected by the A259 Crookthorn Lane. The area to the north of this main road lies outside the designated gap whereas the area to the south forms part of the coastal plain. Much of the latter is undeveloped, consisting of flat and open arable farmland. Climping Street cuts across this area, linking the A259 to the beach. The street has a scattering of traditional buildings along its length and its character is more enclosed due to the trees flanking it.

10. The appeal site lies adjacent the northern end of Climping Street, immediately behind Maidenhead Aquatics (formerly Bairds Farm Shop) which fronts onto the A259. The land is physically contained by the building at the front of the site, a tall hedgerow on the eastern boundary and mature trees along the boundary with The Cottage to the west.
11. The location of the site, relative to the farm shop and properties to the south, is such that the proposal would not bring the built form of Climping any closer to Littlehampton or Middleton-on-Sea. The erection of buildings on land where none presently exists would inevitably result in some loss of openness. However, the enclosed nature of the site and modest roof height being proposed means that the impact would not be significant or harmful in the context of the gap as a whole. The new care centre would be read as part of the backdrop to existing development along this section of the A259 and not as an incursion into the open farmland which characterises both the gap and the undeveloped coast.
12. Furthermore, the visual separation between Littlehampton and Middleton-on-Sea and the separate identities of those respective settlements would be maintained. Longer distance views between the settlements are already truncated by tree cover at Climping Street and consequently the scheme would have no material effect on inter-visibility or intra-visibility.
13. ALP Paragraph 7.4.5 explains that the designation of gaps is not intended to rule out all development but to allow for appropriate, small scale development which is in keeping with the rural nature of the gaps. Although the scale of the proposal would go beyond that anticipated by the policy supporting text, any harm to the integrity of the gap would be negligible. The development would relate closely to Climping and it would not contribute to settlement coalescence.
14. I have noted the concerns expressed regarding precedent. Future proposals for development elsewhere in the gap would need to be considered on their merits having regard to the particular site context. A decision to allow this appeal would not prejudice the Council's ability to resist schemes on more open sites which threaten the identities of individual communities, or the character of the gap as a whole.
15. I turn now to the matter of whether the scheme could be located elsewhere. The submitted review of potential alternative sites seeks to demonstrate that the appellant has considered all reasonably suitable, available and viable sites within a realistic 'catchment' area of the appeal site (defined as a 2.5 mile radius), so that it could still address the identified need for older persons care in the area. The methodology is unchallenged, and I am satisfied that it is appropriate and proportionate to the policy requirement.
16. Sixteen alternative sites were considered, including sites identified as suitable and deliverable in the Council's latest Housing and Economic Land Availability Assessment, others which have been allocated for residential development in the ALP and those which already have planning permission. Although a number of the sites offer a suitable location for the proposed development, none is available within a reasonable timeframe. The most commonly cited reason for this is that the landowner is seeking to dispose of the site to a housebuilder, or that a care home may fetter the ambition for a comprehensive form of development. In such circumstances there is no imperative for landowners to release their sites.

17. The appellant attributes this to a failure in policy to specifically identify a sufficient number of sites for care homes; it is contended that the charitable body seeking to operate the scheme is unable to compete with housebuilders on land prices. Whatever the reason, alternative sites are not available now. The Council is pursuing the argument that new care homes should be located within Built Up Area Boundaries, but it does not make any suggestions regarding potential alternative sites. I acknowledge that land has become available elsewhere, notably at Pagham and Angmering, but these developments are serving different parts of the District and would meet only part of the identified need.
18. Having considered the individual policy criteria, I conclude that there would be no material conflict with ALP Policy SD SP3 in relation to the designated gap between Littlehampton and Middleton-on-Sea.

Character and appearance

19. The proposed dementia care centre would be roughly H-shape in plan, and it would substantially fill the developable site area. The footprint would be extensive compared to other built form in the immediate vicinity, but this would not be apparent to the casual observer who would only see parts of a domestic scale building. Sections of roof would be visible from a short stretch of the A259, near its junction with Climping Street. However, these views would be filtered by new tree planting and the development would be seen in an already built-up setting with Maidenhead Aquatics in the foreground. The site is well-screened by roadside vegetation on the approaches to Climping, even in winter, and thus the visual impacts for highway users would be localised and transient.
20. The most significant views of the development would be from public footpath 169 to the east of the site. From here, the building would be visible above established mature hedging along the site boundary. This hedging, which would be retained as part of the scheme, is of considerable height. The new building would contain 2 storeys of accommodation, but its ridge height would be modest at around 7.5 m. The dark slate grey roof coloration would blend with the backdrop of trees on Climping Street, and this would make it inconspicuous from any distance and thereby mitigate the landscape and visual impacts. The walls of the building would be mostly screened by vegetation, but the materials would be sympathetic due to their mellow appearance in any event.
21. The development would not be an isolated feature in the landscape; rather it would be seen in the context of urban influences, including the farm shop building adjacent and consented holiday lets and a camp site on neighbouring land. The appeal site is well-contained and physically separate from the undeveloped coastline and arable plain landscapes for which the Climping Lower Coastal Plain Landscape Character Area (LCA31) is valued. Overall, I am in broad agreement with the Landscape and Visual Appraisal which characterises the visual and landscape character effects as 'Minor Adverse' for receptors at closest proximity.
22. Based on my own observations, I do not share the view that the proposed building would be obtrusive in the landscape and prominent from surrounding viewpoints. The development would be well-contained and appropriately landscaped, and it would be assimilated into its surroundings. Accordingly, I find that there would be no significant conflict with ALP Policies D DM1, D SP1 and H DM2 and Clymping Neighbourhood Plan 2015-2030 (CNP) Policies CPN7 and CPN11 insofar as these seek to protect the character and appearance of the area.

Suitability and sustainability of location

23. ALP Policy H DM2(a) stipulates that new care homes should be sited within the Built Up Area Boundary. Criterion (b) requires schemes to be accessible, either by foot or public transport, to community or social facilities. Criterion (f) states that, overall, the location should support and encourage the continuation of a healthy, active lifestyle.
24. The appeal scheme would be sited outside the Built Up Area Boundary for Climping and it would conflict with Policy H DM2 as a matter of fact. However, there are extremely good bus services to the settlements of Littlehampton, Bognor Regis and Chichester. The proposal would provide footways and pedestrian crossing islands to facilitate safe access to the bus stops which are located no more than 150 m from the site entrance.
25. There is also a dedicated cycleway running along the A259 between Bognor Regis and Littlehampton. The Council highlighted the fact that the route stops short in the easterly direction, with cyclists having to re-join the carriageway at the bridge over the River Arun. However, the Highway Authority would have considered this issue when choosing to invest in providing the cycleway and in my view it would deter only the most inexperienced cyclists. The distances and infrastructure provision are such that cycling would be a realistic travel mode.
26. The appeal site is within easy walking distance of local facilities in Climping, including the Oystercatcher public house and the 'Community Hub' which is being provided as part of a strategic allocation for 300 dwellings to the north of the A259. That scheme, which already benefits from extant outline planning permission, will provide a community building, shop and open space. It will also deliver a new signalised crossing on the A259.
27. The proposal would provide employment for the occupiers of the new housing, but members of staff living further afield would have the opportunity to use travel modes other than the private car. The bus service would be a viable option for the journey to work, although I note that the intended operator of the care centre would also provide transport using a minibus. This could be secured via a condition requiring submission of a Travel Plan.
28. Although outside of the Built Up Area Boundary, the site has good accessibility to services and facilities by means of transport other than the private car. The proposal would therefore be consistent with government policy set out in paragraphs 103 and 108 of the National Planning Policy Framework (the Framework). It would be no less sustainable in locational terms than the site which the Council has already allocated for development; residents, staff and visitors to the dementia care centre would benefit from the facilities in that nearby scheme.
29. Paragraph 12.6.3 of the ALP states that it is essential for residents of care homes to remain an integral part of existing communities. I see no reason why this should not be the case here. The care centre would be self-contained, with various facilities provided in-house, but there would be opportunities for residents to be taken on an accompanied basis to explore the locality. The rural surroundings would be positively beneficial to their physical and mental wellbeing, and this would outweigh any disadvantages arising from the site's position outside the Built Up Area Boundary. Accordingly, I find the location to be suitable and sustainable, notwithstanding the conflict with ALP Policy H DM2(a).

Loss of agricultural land

30. ALP Policy SO DM1 stipulates that any form of development not associated with agriculture, horticulture or forestry will not be permitted on the best and more versatile land¹, unless need for development outweighs the need to protect such land in the long term. CNP Policy CPN 10 is similar in scope, requiring development on such land to be justified by special circumstances, which may include an overriding need for the development in the proposed location and development on the site being demonstrated as the most sustainable option.
31. The parties agree that the proposal would affect Grade 2 agricultural land. The site amounts to 0.84 ha overall, with roughly 0.62 ha laid to grass. This was not in productive agricultural use at the time of my visit, but I understand that it has been used in the past as a 'pick your own' site. More recently, permission was granted for change of use to a dog training facility. Self-evidently, the Council has been prepared to accept non-agricultural uses on the land.
32. The appellant has provided a letter from a local farmer who advises that the site could not realistically be put to viable agricultural use due to its limited size, physical separation from other farmland and poor access. The site is too small for modern farm machinery and average stocking densities would lead to unfeasibly low livestock numbers. Furthermore, the proximity of a camping field to the east of the site would place restrictions on the use of pesticides. Although I acknowledge the Council's point that the author of the letter is related to the owner of the appeal site, the views expressed have a rational basis.
33. Overall, there is no compelling evidence to support the assertion that the land could revert back to agricultural production. Even if there were, I do not consider that the impact on the supply of high grade agricultural land would be so significant as to preclude development of the site. I have attached a small amount of weight to the conflict with the aforementioned development plan policies, but this matter is unlikely to be decisive in the final planning balance.

Financial contributions

34. The appellant has provided a signed unilateral undertaking which would secure financial contributions towards library infrastructure and the county fire and rescue service. However, the need for those contributions is disputed.
35. The contributions are justified with reference to ALP Policy INF SP1. This policy is supportive of proposals which contribute towards infrastructure and services needed to meet the needs of occupiers and users of the development and the existing community. The explanatory text states that the provision of public services will be required to support growth in the District. Reference is made to the relocation or redevelopment of Littlehampton Fire Station, although I note that the phasing and cost of this provision requires further investigation.
36. The Council confirmed at the hearing that it did not have a supplementary planning document to enlarge upon the policy. Its case relies upon advice from West Sussex County Council and that authority's Supplementary Planning Guidance: 'The Provision of Service Infrastructure Related to New Development in West Sussex – Part 1'. This document identifies libraries and the fire service as two areas where contributions may be sought towards new infrastructure.

¹ Defined as Grade 1, 2 and 3a of the Agricultural Land Classification

37. The figures for the requested contributions have been calculated according to a formula, but there is no explanation on how this was derived. Neither is there any detailed information regarding the projects on which the monies would be spent or timescales for delivery. Moreover, there is no evidence on the adequacy or otherwise of existing infrastructure to meet the needs of the development.
38. The proposed building would need to be constructed to the highest standards in order to be Care Quality Commission registered. Sprinklers are mandatory under the Building Regulations and there would be a requirement for fire risk assessments. The development would have fire safety embedded in both the construction and operational phases. Consequently, there is merit to the argument that the proposal would reduce fire risk overall by moving vulnerable dementia sufferers from their own homes into a more protective care setting.
39. Although I cannot rule out the possibility that residents of the scheme may be taken to local public libraries, the probability is that most would use the in-house reading resources provided by the care centre operator. Even if there were some use of council library facilities, no substantive evidence has been presented to convince me that these would be unable to cope with the modest additional demands placed upon them by the proposed development.
40. To meet the statutory tests set out in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010, planning obligations must be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind. In my judgement, it has not been satisfactorily demonstrated that the financial contributions would be necessary in order to grant planning permission. The CIL tests are not met and therefore I have not taken the unilateral undertaking into account in reaching my decision.

Other material considerations

41. Arun District has a much older than average, and rapidly ageing population which is resulting in growing demand for older persons care accommodation. It has the highest retirement age proportion of its population in West Sussex. The Council does not contest the appellant's assertion that much of the existing care accommodation stock is dated and fails to meet modern standards, or that there is extremely limited availability of specialist dementia care in the District.
42. The submitted Needs Assessment estimates that as at 2021 there will be a substantial unmet need of 286 dementia care bedspaces within the District and 132 in the local area (2.5 mile radius), allowing for planned bed spaces. More realistic assessments, where only planned beds under construction are included, indicates a more significant level of unmet need of 558 and 167 bedspaces respectively.
43. The appellant's evidence chimes with the analysis of West Sussex County Council which concludes that there will be an additional demand in the County for 9,707 residential care home beds and 6,720 nursing beds over the period 2014-2034. It is projected that Arun will experience the largest rise in demand in West Sussex across all care types. The Council accepts the advice of its consultee and conceded at the hearing that there is a 'big need' for dementia care facilities.

44. Since adoption of the ALP the Government has published new Planning Practice Guidance which makes clear that the need to provide housing for older people is critical. Plan-making authorities are expected to set clear policies to address the housing needs of older people. The guidance states that where there is an identified unmet need for specialist housing (and dementia care falls into this category), local authorities should take a positive approach to schemes that propose to address this need.
45. The PPG states that it is up to the plan-making body to decide whether to allocate sites for specialist housing for older people. In this case the ALP makes only one site allocation that includes provision for care beds; this site lies in Pagham to the far west of the District and would not realistically meet the needs of those residents of the Littlehampton area. The Council is almost completely reliant upon windfalls within the Built Up Area Boundaries to meet the need for care homes. It stands to reason that operators will be competing for sites against housebuilders and the providers of other forms of older persons accommodation such as retirement living or sheltered housing, and extra care housing.
46. The appeal scheme would free up general needs housing, which the Council accepts would count in some way towards housing provision in a circumstance where it is unable to demonstrate a 5 year supply of deliverable housing land. The development would also bring forward key social benefits by reducing hospital admissions and 'bed blocking'. It would enable dementia sufferers to remain local to home and improve their well-being. Economically, the scheme would support the construction industry during the build phase and a significant number of jobs would be created when the centre is operational. Spending by users of the care centre would support local businesses such as the nearby public house. All of these benefits must be factored into the planning balance.

Other Matters

47. The proposed development would be largely screened from The Cottage, a Grade II listed building, by a row of mature trees. The occupier of this property indicated that she was proposing to clear overgrown vegetation along the boundary. The concern was that this would open up views into the site. However, there is sufficient space to provide additional planting which would safeguard privacy and outlook whilst also preserving the setting of the listed building. The requirement to submit a landscaping scheme would be a condition of any planning permission.
48. I note the concern that the care centre would be unaffordable for local people, given high levels of deprivation in the area. The intended operator is yet to open discussions with West Sussex County Council, but the model elsewhere has been to provide a significant proportion of beds for use by the National Health Service. There is no legal agreement in place to secure this, but regardless it is not a matter which would justify dismissing the appeal.
49. I have given careful consideration to all other concerns raised, including in relation to wildlife and highway safety impacts, but nothing alters my overall findings on the main issues.

Conditions

50. The Council's list of suggested conditions was discussed at the hearing, along with a number of supplemental conditions. I have considered each having regard to paragraph 55 of the Framework and advice contained in the PPG.
51. I have attached a condition listing the approved plans to provide certainty. To protect nearby residents during the construction phase, and in the interests of highway safety, I have attached a further condition to require the submission and implementation of a Construction and Environmental Management Plan. Pre-commencement conditions are also needed to secure details of drainage and tree protection. These will prevent surface water flooding and ensure that existing landscape features are protected.
52. Additional planting is needed to mitigate the impact of the development on the character and appearance of the area. A condition is therefore necessary to ensure that a detailed hard and soft landscaping scheme is submitted for approval and implemented in the first planting season following the occupation of the care centre or the completion of the development, whichever is sooner.
53. In the interests of highway safety, conditions are necessary to secure the provision of parking and off-site highway improvements prior to the development being first occupied. This includes the provision of new footways to bus stops and pedestrian crossing islands in order to promote the use of sustainable travel modes. For the same reason I have imposed conditions requiring the submission and implementation of a Travel Plan and details of secure and covered cycle parking.
54. It is important that any external lighting is sympathetic to its surroundings and local wildlife including bats. A condition is therefore necessary to ensure that the Council retains control over such lighting in order to minimise light spill.
55. The site does not currently provide habitat suitable for great crested newts, but to ensure that the development does not harm this protected species a condition is necessary to ensure compliance with the submitted method statement. The suggested condition relating to nesting birds does not pass the test of necessity as it duplicates controls in the Wildlife and Countryside Act.
56. There was some debate at the hearing over the appellant's proposition that a condition be attached to restrict the use of the proposed development to a care home. The need for specialist dementia care is a key factor in outweighing conflict with development plan policy and on this basis I consider that the suggested condition is reasonable and necessary. Although it may have been preferable to include reference to dementia care within the condition, this term is not sufficiently precise and could lead to future problems with enforcement.

Planning Balance and Conclusion

57. There would be no material conflict with ALP Policy SD SP3 in relation to the designated gap between Littlehampton and Middleton-on-Sea. Additionally, no significant harm would arise to the character and appearance of the area and the site would be a suitable and sustainable location for the proposed development. The scheme would comply with relevant local and national policy in this regard.

58. Notwithstanding the above, the proposal would conflict with ALP Policies SD SP2, C SP1 and H DM2 as a consequence of the site's location outside of the Built Up Area Boundary. There would also be some conflict with ALP Policy SO DM1 and CNP Policy CPN 10 due to the loss of best and most versatile agricultural land.
59. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this particular case, there is a pressing need for dementia care in this part of the District and across the authority as a whole. I attach very substantial weight to this factor, in light of Government guidance which post-dates adoption of the ALP.
60. The local plan includes a policy on care homes and is therefore not silent on the matter. However, the lack of sufficient site allocations for care homes casts considerable doubt over the ability of the Council to meet the needs of dementia sufferers, both now and into the future. The ALP does not embody the proactive approach being advocated in national guidance, particularly having regard to the significant identified unmet need in Arun for specialist housing. This reduces the weight I attach to the conflict with ALP Policies SD SP2, C SP1 and H DM2.
61. There was much debate at the hearing over whether the provisions of paragraph 11(d) of the Framework are engaged. I do not consider that it is necessary for me to reach a conclusive finding on this point. Even in the Council's preferred scenario where the tilted balance was not engaged, there would be material considerations of sufficient weight to justify a decision otherwise than in accordance with the development plan.
62. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Robert Parker

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Andy Marshall MRTPI	Planning Director, Brackley Investments
Matthew Parry MRTPI	Development Planner, Brackley Investments
Jeff Moore MRICS	Principal Surveyor, Brackley Investments
James Wallace BSc(Hons) BArch	Director of Hunters (architect)
Jack Jewell CMLI	Director of Tyler Grange (landscape consultant)
Tony Barrett	CEO Healthcare Management Trust (intended operator)
Alison Baird	Owner of appeal site

FOR THE LOCAL PLANNING AUTHORITY:

Juan Baeza	Team Leader Development Control
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INTERESTED PARTIES:

John Baird	Local landowner
Colin Humphris	Clymping Parish Council
Tracey Villa	Local resident
Harold Ward	Clymping Parish Council

Documents submitted at the hearing

1. Drawing no APL015: Proposed 3D Views 2
2. Clymping Neighbourhood Plan Evidence Document: Clymping Character Assessment January 2015
3. Email from Sarah Burrow dated 1 November 2019
4. Appellant's proposed condition restricting use to an older persons care home

Documents submitted after the hearing

5. Email trail confirming West Sussex CC acceptance of unilateral undertaking
6. Appeal decision ref. APP/C3810/W/19/3220233 – Pound Place, Roundstone Lane, Angmering

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location plan dwg. APL001
 - Proposed Site plan dwg. APL003
 - Proposed Refuse & Recycling floors & Elevations plan dwg. APL004
 - Proposed Ground Floor plan dwg. APL005
 - Proposed First Floor plan dwg. APL006
 - Proposed Roof plan dwg. APL007
 - Proposed Northern Elevation NN plan dwg. APL008
 - Proposed Eastern Elevation EE plan dwg. APL009
 - Proposed Southern Elevations SS plans dwg. APL010
 - Proposed Western Elevation WW plans dwg. APL011
 - Proposed True Elevations plans dwg. APL012
 - Site Sections plans dwg. APL013
 - Landscape Strategy plan dwg. 11423/PO8c
 - Proposed Highway Improvements dwg no. 025 Rev. P7
- 3) No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - a) an indicative programme for carrying out of the works;
 - b) the anticipated number, frequency and types of vehicles used during construction;
 - c) the method of access and routing of vehicles during construction;
 - d) the parking of vehicles by site operatives and visitors;
 - e) the loading and unloading of plant, materials and waste, including permitted times for deliveries;
 - f) the storage of plant and materials used in construction of the development;
 - g) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
 - h) the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - i) measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);

- j) measures to control the emission of dust and dirt during construction;
 - k) details of public engagement both prior to and during construction work;
 - l) details of any temporary floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
 - m) a scheme for recycling / disposing of waste resulting from demolition and construction works.
- 4) No development shall take place until there has been submitted to, and approved in writing by the Local Planning Authority, a scheme for tree protection and retention including details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The development shall proceed in accordance with the details so approved.
- 5) A) Development shall not commence, other than works of site survey and investigation, until full details of a 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 systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the development has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
- B) Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing by, the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.
- C) Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.
- 6) Notwithstanding the submitted Landscape Strategy, no development above damp proof course (DPC) level shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and all boundary treatments. The approved details of the

landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

- 7) No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
- 8) No part of the development shall be first occupied until the highway improvement scheme to provide give way and centre line markings at the site access, pedestrian crossing islands and a footway from the site access to the western side of Climping Street with appropriate dropped kerbs and tactile paving has been constructed in accordance with the approved drawing no. 025 Rev. P7.
- 9) No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan (dwg no. APL003). These spaces shall thereafter be retained at all times for their designated purpose.
- 10) No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The approved cycle storage/parking spaces shall thereafter be permanently retained in good working condition.
- 11) No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. Only the approved lighting shall be installed on the site and such lighting shall thereafter be maintained in accordance with the approved details.
- 12) The development shall proceed in accordance with the submitted Great Crested Newt Reasonable Avoidance Method Statement (May 2018).
- 13) The development hereby permitted shall be used as a care home (for the provision of nursing and/or personal care to those aged 65 and over) and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

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