

Application No. 131002

**TOWN AND COUNTRY PLANNING ACT 1990**  
**PERMISSION TO DEVELOP LAND SUBJECT TO CONDITIONS**

Sovereign Harbour Ltd. C/O Miss Marie Nagy  
Brentano Suite, Solar House  
915 High Road  
North Finchley  
London  
N12 9NQ

**Location:** Sovereign Harbour, Eastbourne

**Proposal:** Outline planning permission for the development of Sites 1, 4, 5, 6, 7 and 8 at Sovereign Harbour, Eastbourne:  
Site 1 - up to 72 dwellings and access  
Site 4 - Commercial and employment uses (A1-A5) (B1, C1& D1)  
Site 5 - Community use (up to 800sqm)  
Site 6 - Employment and office uses (B1 up to 15,000sqm)  
Site 7 - Mix of employment uses (B1) (C1 & C2) (D1), up to 70 dwellings and open space (0.80 ha)  
Site 8 - Up to 8 dwellings, open space and berth holder facilities

**Decision Date:** 2<sup>nd</sup> December 2014

In pursuance of their powers under the above Act, the Council as Local Planning Authority hereby permit you to develop land in accordance with the proposals set out in your application and shown on the plan(s) listed, subject to the conditions as specified hereunder:-

**SEE SCHEDULE OF CONDITIONS AND REASONS ATTACHED**

This permission must **not** be treated as an **approval under the Building Regulations** which may require **a separate application** and is granted subject to due compliance with the general statutory provisions in force in the Borough and nothing herein shall be regarded as dispensing with such compliance.

Access for Fire Brigade: your attention is hereby drawn to the provisions of Section 35 of the East Sussex Act 1981. This permission does not convey any approval to carry out alterations to the public highway, which will require separate consent from the Highway Authority.

Dated: 2<sup>nd</sup> December 2014



.....  
**Leigh Palmer**  
**Senior Specialist Advisor**

**EAST SUSSEX ACT 1981**  
**SECTION 35**

- (1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the Fire Authority, they are satisfied that the plans show:
  - (a) that there will be adequate means of access for the Fire Brigade to the building or, as the case may be, to the building as extended;  
and
  - (b) that the building or, as the case may be, the extension of the building, will not render inadequate any existing means of access for the Fire Brigade to a neighbouring building.
- (2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990 unless notice of the provisions of this section is endorsed on or accompanies the planning permission.
- (3) Section 64(2) and section 65(2) to (5) of the Act of 1936; (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the Act of 1936.
- (4) Any person aggrieved by the action of the District Council in rejecting plans under this section may appeal to a Magistrates' court.
- (5) In this section references to the adequacy or inadequacy of means of access for the Fire Brigade shall be construed as reference to a means of access adequate, or, as the case may be, inadequate for use for fire-fighting purposes by means of one or more Fire Brigades and their appliances.

**NOTES**  
**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeals to the Secretary of State**

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from: The Planning Inspectorate, Customer Support Unit, Room 306(K) Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Telephone: 0117 372 6027/6212. Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under the Order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local authority based its decision on a direction given by him.

**Purchase Notices**

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a Purchase Notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**SCHEDULE OF CONDITIONS AND REASONS**

1. Details of the layout, scale, appearance, access and landscaping, (hereinafter called "the Reserved Matters") for Sites 1, 4, 5, 6, 7 and 8 as defined in the Masterplan (drawing no. 4011/013\_0100\_OPA) received 19<sup>th</sup> November 2013 and approved as part of this planning permission, shall be submitted to and approved in writing by the Local Planning Authority before any development begins in relation to each of the Sites and development shall thereafter be carried out as approved.

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

2. Plans and particulars of the Reserved Matters for each Site (1, 4, 5, 6, 7 and 8) referred to in Condition 1, shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out as approved. The plans and particulars that are to be submitted for approval shall be in accordance with the approved drawings received on 19<sup>th</sup> November 2013:

- i. Site 1 ref Parameter Plans 01(Rev A, dated 3 September 2014)
- ii. Site 4 ref Parameter Plans 02
- iii. Site 5 ref Parameter Plans 03
- iv. Site 6 ref Parameter Plans 04
- v. Site 7 ref Parameter Plans 05
- vi. Site 7a Employment ref Parameter Plans 06
- vii. Site 7b Public Open Space ref Parameter Plans 07
- viii. Site 7c Residential ref Parameter Plans 08
- ix. Site 8 ref Parameter Plans 09

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Any application for approval of Reserved Matters for Sites 1, 4, 5, and, 7B shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. Any application for approval of Reserved Matters for Sites 7C and 8 shall be made to the Local Planning Authority not later than two years from the date of this permission.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5. Any application for approval of Reserved Matters for Sites 6 and 7A shall be made to the Local Planning Authority not later than ten years from the date of this permission.

Reason: To reflect the strategic nature of this Site and to comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

6. The development of Sites 1, 4, 5, 7B, 7C and 8 hereby permitted shall be begun either before the expiration of five years from the date of approval of this application or the expiration of two years from the date of the approval of the last of the reserved matters for that site to be approved, whichever is the later.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

7. The development of Sites 6 and 7A hereby permitted shall be begun either before the expiration of ten years from the date of approval of this application or the expiration of two years from the date of the approval of the last of the Reserved Matters for that site to be approved, whichever is the later.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

8. No demolition, site clearance or building operations on the Sites (1, 4, 5, 6, 7 and 8) shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. to 1.00 p.m. on Saturdays, and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of maintaining the amenities of nearby residents / occupants.

9. The development of residential dwellings (Use Class C3) hereby permitted shall be restricted to Sites 1, 7C and 8 only and shall not exceed more than 150 units in total across these Sites.

Reason: In accordance with Policy B1 and C14 of the Eastbourne Core Strategy Local Plan 2013, and the Sovereign Harbour Supplementary Planning Document 2013.

10. The development of Sites 6, 7a & 4 shall together provide up to a maximum of 20,000 sq.m. of B1 floorspace.

Reason: In accordance with the Eastbourne Core Strategy Local Plan (paragraph 4.2.14) and the emerging Eastbourne Employment Land Local Plan.

## **Site 1**

11. Samples of the materials to be used in the external surfaces of the development of Site 1 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the associated works. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in harmony with the surrounding area.

12. Prior to the first occupation of any residential building on Site 1 as hereby permitted, details of their associated boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

Reason: In the interest of the visual appearance and integration of the development into its surroundings.

13. Prior to the commencement of any part of the development of Site 1 hereby permitted, full details of the associated hard and soft landscape proposals for that part of the site shall be submitted to and approved by the Local Planning Authority. The proposals shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and ecology.

14. No development shall take place on Site 1 until a surface water drainage scheme for the site overall, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To reduce the risk of flooding, both on and off site, and to protect the water quality.

15. The reserved matters details to be submitted for Site 1 pursuant to condition 1 of this planning permission shall include details of measures to limit habitat enrichment and encroachment arising from the private gardens of the residential development on the site onto the adjoining public open space on Site 1. The measures shall be implemented in accordance with the approved details.

Reason: In the interest of demarcating the public and private areas of the site.

16. Landscape details submitted pursuant to condition 1 for Site 1 shall include details of the species and size of any hedging and trees proposed on the site.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

17. Any planting, seeding or turfing included within the approved landscaping scheme for Site 1 shall be carried out in the first planting and seeding seasons as relevant following the:

- laying out of the public open space on the site;
- occupation of any residential building for which associated landscape planting is to be provided.

Any trees or plants which within a period of 5 years from the completion of the associated landscape works on the related part of Site 1 are removed or become seriously damaged or diseased shall be replaced in the next planting season and with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

All hard landscaping and means of enclosure on Site 1 shall be completed before either the associated building is first occupied or the associated public open space is first open to the public.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

18. Prior to the commencement of the approved development of Site 1 details of flood resilience measures shall be submitted and approved in writing by the Local Planning Authority and shall include details of minimum finished floor levels and a suitable development design to manage risk from drainage system exceedance events and from possible overtopping of flood/sea/harbour defences as appropriate to the site's location. Ground floor uses shall be generally restricted to parking and less vulnerable uses in accordance with the submitted Flood Risk Assessment (FRA, Section 6, Flood Risk Management) received 19<sup>th</sup> November 2013.

Reason: To reduce flood risk and to ensure a satisfactory relationship with surrounding properties.

19. The layout details to be submitted pursuant to Condition 1 for Site 1 shall provide for future maintenance access to both the sea defences and the Outer Harbour walls that adjoin the site. The development shall thereafter be implemented in accordance with approved details.

Reason: in the interest of maintaining flood protection measures.

20. No development approved by this planning permission shall take place on Site 1 until a remediation strategy that includes the components set out below to deal with the risks associated with potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating contamination sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme based on (1) above to provide information for a detailed assessment of the risk of all receptors that may be affected including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) above and, based on these, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken.
4. A verification plan, as required, providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Any changes to these components will require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In the interest of ensuring any contamination that may be present as a result of the historical use(s) of the site are identified and remediated.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no buildings, structures, boundary walls or fences of any kind shall be erected within the curtilages of residential dwellings hereby permitted on Site 1 and no windows, dormer windows, doors or openings of any kind shall be constructed in dwellings on the site without the prior approval in writing of the Local Planning Authority.

Reason: To prevent the over-development of the site, to safeguard the privacy of occupiers of adjoining properties and in the interest of the visual amenity of the area.

22. No part of Site 1 shall be developed for residential use until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for (1) the storing of domestic refuse and recycling and (2) for access to the refuse stores by the future occupiers of that part of the Site and by collection vehicles to the refuse stores.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

23. Prior to the commencement of development of Site 1 a Construction Traffic Management Scheme for the Site shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

24. New estate roads within Site 1 shall be designed and constructed to a standard approved by the Local Planning Authority in accordance with the Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.

Reason: In the interest of highway safety.

25. Prior to the commencement of development of Site 1 details of the proposed surface water drainage to prevent the discharge of surface water from the site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site, shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: In the interest of highway safety.

26. Prior to the commencement of development on any part of Site 1, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided for that part of the site, shall be submitted to the Local Planning Authority.

Reason: In the interest of highway safety.

27. During any form of earthworks and/or excavations that are carried out as part of the development of Site 1, suitable vehicle wheel washing equipment shall be provided as required within the site, to the approval of the Local Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit of the public at large.

28. No part of Site 1 hereby permitted shall be occupied until its associated vehicle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the Site.

29. No part of Site 1 hereby permitted shall be occupied until its associated cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

30. Before construction of a residential building commences on Site 1, the new estate roads that serve the building shall be completed to base course level, together with the associated surface water and foul sewers and mains services.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

31. Any roads that form part of the development for Site 1 hereby permitted that are not to be offered for adoption shall be laid out and constructed to standards at, or at least close to, adoption standards.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

32. Details of the proposed noise insulation of the residential properties to be developed on any part of Site 1 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development of that part of the Site. The insulation shall thereafter be installed in accordance with the approved details prior to the first occupation of each dwelling.

Reason: In the interest of the amenity of future occupiers of the dwellings.

33. The development hereby approved for Site 1 shall not contribute to onsite contamination.

Reason: In the interest of preventing any further contamination of Site 1.

34. Details of signage to be provided on Site 1 that indicates the direction to the existing seafront promenade, the Outer Harbour walkway and The Waterfront shall be submitted to and approved in writing by Local Planning Authority. The signage shall be provided in accordance with the approved details.

Reason: In order to meet the objectives of sustainable development.

35. Details of any temporary structures or hoardings that are to be provided during the development of Site 1 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on the site. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area.

36. Before the construction of a residential building on Site 1 is commenced, details of bird deterrent measures for that building shall be submitted to and approved by the Local Planning Authority. The approved measures shall be implemented before each residential building is first occupied.

Reason: In the interest of the amenities of neighbouring residents.



37. No bonfires or burning of materials shall take place on Site 1 at any time.

Reason: In the interest of the residential amenity of the area.

38. Details of the location and design of interpretation/information boards relating to the ecological value of Site 1 shall be submitted to and approved in writing by the Local Planning Authority. The boards shall be installed in accordance with the approved details.

Reason: To protect the ecological value of the site.

39. In accordance with approved drawing ref. Parameter Plans 01, approximately two-thirds of Site 1 shall be retained as public open space. The calculation of public open space within the site shall include all areas that will be accessible to the general public including public access points and links within the site but excluding the proposed new street for vehicle access and pedestrian/cycle route labelled B on the Parameter Plan 01.

Reason: To ensure appropriate public open space provision.

40. Residential development on Site 1 shall not exceed more than 72 residential dwellings in total (Use Class C3).

Reason: To ensure the overall total number of residential dwellings provided across Sites 1, 7C and 8 does not exceed 150 units in total.

41. Prior to the commencement of any works on Site 1 details of pedestrian and cycle linkages that will be provided within the site and that will promote connections with existing routes including with the adjoining seafront promenade and with the wider area of Sovereign Harbour shall be submitted to and approved by the Local Planning Authority. The linkages shall be provided in accordance with approved details.

Reason: In the interests of pedestrian and highway safety and sustainable development.

42. No occupation of any part of the development hereby permitted on Site 1 shall take place until a verification report demonstrating completion of works set out in the site remediation report required pursuant to condition 20 of this planning permission and the effectiveness of any remediation undertaken has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any required remediation is satisfactorily completed.

43. If, during development of Site 1, contamination not previously identified is found to be present at the Site then no further development on that part of the Site (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and written approval for the associated strategy has been obtained from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In order to ensure that all site contamination is dealt with in an appropriate way in the interest of maintaining the quality of the local water sources.

44. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority which may be given for those parts of Site 1 where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development of Site 1 shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that surface water drainage from the proposed development does not result in the deterioration in quality of controlled waters.

45. Piling or any other foundation designs using penetrative methods shall not be permitted for the development of Site 1 hereby permitted except with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the contamination of underground water supplies.

46. Construction of the development of Site 1 hereby permitted shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: In the interest of flooding prevention.

47. The development of Site 1 hereby permitted shall not be occupied or brought into first use until a turning space for vehicles has been provided and constructed in accordance with details that are first to be submitted to and approved in writing by the Local Planning Authority. The turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: to ensure the safety of persons and vehicles entering and leaving the site and proceeding along the highway.

#### **Site 4**

48. No development shall take place on any part of Site 4 until samples of the materials to be used in the external surfaces of that part of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in harmony with the surrounding area.

49. No development shall take place on Site 4 until full details of both hard and soft landscape proposals for the site have been submitted to and approved by the Local Planning Authority. The proposals shall be undertaken in accordance with the approved details.

Reason: in the interests of visual amenity and ecology.

50. Any planting, seeding or turfing included in the approved landscape scheme for any part of Site 4 shall be carried out in the first planting and seeding seasons following the first occupation of a building on that part of the site or the completion of the development of that area, whichever is sooner. Any trees or plants which within a period of 5 years from the completion of landscape works on an individual part of Site 4 are removed or become seriously damaged or diseased shall be replaced in the next planting season and with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure that form part of a building on Site 4 shall be completed before that building is first occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

51. The reserved matters details to be submitted for Site 4 pursuant to condition 1 of this permission shall include details for future maintenance access to the Harbour walls adjoining the site.

Reason: In the interest of maintaining flood defences.

52. No development approved by this planning permission shall take place on Site 4 until a remediation strategy that includes the components set out below to deal with the risks associated with potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating contamination sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme based on (1) above to provide information for a detailed assessment of the risk of all receptors that may be affected including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) above and, based on these, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken.
4. A verification plan, as required, providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Any changes to these components will require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In the interest of ensuring any contamination that may be present as a result of the historical use(s) of the site are identified and remediated.

53. No development shall commence on any part of Site 4 until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for the storage of refuse and recycling for that part of the site and for access to the refuse stores by its occupiers and by collection vehicles to it.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

54. No development shall take place on Site 4 until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To reduce the risk of flooding, both on and off site, and to protect the water quality.

55. Prior to the commencement of development on Site 4 a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation.

Reason: in the interest of highway safety and for the benefit and convenience of the public at large.

56. Prior to the commencement of development on any part of Site 4, detailed drawings, including levels, sections and construction details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided on that part of the site, shall be submitted to the Planning Authority. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety

57. During any form of earthworks and/or excavations that are carried out as part of the development of Site 4, suitable vehicle wheel washing equipment shall be provided within the site as required, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

58. No part of Site 4 shall be occupied until its associated on-site vehicle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

59. No part of Site 4 shall be occupied until its associated cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

60. Roads within Site 4 that are not to be offered for adoption should be laid out and constructed to standards at, or at least close to, adoption standards.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

61. A lighting strategy for the public open space on Site 4 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the public open space. The Strategy shall be implemented in accordance with the approved details. Thereafter no additional lighting shall be installed within the public open space unless first approved by the Local Planning Authority.

Reason: In the interest of the residential amenity of the area.

62. Prior to the first operational use of any commercial unit(s) hereby permitted on Site 4 a signage strategy for the display of proposed external advertisements on the unit(s) shall be submitted to and approved in writing by the Local Planning Authority. The signage strategy shall thereafter be implemented in accordance with the approved details.

Reason: in the interest of the visual harmony of the area and of the amenity of other nearby occupiers.

63. Except with the express written consent of the Local Planning Authority, all operations located within Site 4 and falling within Use Classes A5 shall only be open to the general public between 7am and 11pm on Mondays to Sundays.

Reason: In the interest of the residential amenity of the area.

64. The development hereby approved for Site 4 shall not contribute to onsite contamination.

Reason: In the interest of preventing any further contamination of Site 4.

65. No external plant or machinery (including air conditioning, refrigeration and extraction equipment) shall be erected on Site 4 without the prior approval of the Local Planning Authority. The details to be approved shall include predicted noise output levels. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the amenity of neighbouring and nearby residents and other occupiers.

66. Details of any temporary structures or hoardings that are to be provided during the development of Site 4 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on the site. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area.

67. Before construction of an approved building is commenced on Site 4, details of bird deterrent measures for that building shall be submitted to and approved by the Local Planning Authority. The approved measures shall be implemented before the building is first occupied.

Reason: In the interest of the amenities of neighbouring occupiers.

68. No bonfires or burning of materials shall take place on Site 4 at any time.

Reason: In the interest of the residential amenity of the area.

69. Prior to the commencement of any works on Site 4 details of the pedestrian and cycle linkages that will be provided within the site and that will promote connections with the rest of the Harbour including with the Sovereign Harbour Retail Park and The Waterfront are to be submitted to and approved by the Local Planning Authority. The linkages shall be provided in accordance with the approved details. Reason: In the interests of pedestrian and highway safety.

70. No occupation of any part of the permitted development on Site 4 shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy required pursuant to condition 52 and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if deemed necessary is satisfactorily completed.

71. If, during the development of Site 4, contamination not previously identified is found to be present at the Site then no further development on that part of the Site (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and written approval for the associated strategy has been obtained from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In order to ensure that all site contamination is dealt with in an appropriate way in the interest of maintaining the quality of the local water sources.

72. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority which may be given for those parts of Site 4 where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development of Site 4 shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that surface water drainage from the proposed development does not result in the deterioration in quality of controlled waters.

73. Piling or any other foundation designs using penetrative methods shall not be permitted for the development of Site 4 hereby permitted except with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the contamination of underground water supplies.

74. Construction of the development of Site 4 hereby permitted shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: In the interest of flooding prevention.

75. The development of Site 4 shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with details that are first to be submitted to and approved in writing by the Local Planning Authority. The turning space shall thereafter be retained for that use and shall not be used for any other purpose. Reason: to ensure the safety of persons and vehicles entering and leaving the site and proceeding along the highway.

## Site 5

76. No development shall take place on Site 5 until samples of the materials to be used in the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in harmony with the surrounding area.

77. No development shall take place on Site 5 until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To reduce the risk of flooding, both on and off site, and to protect the water quality.

78. Any planting, seeding or turfing included in the approved landscape scheme for Site 5 shall be carried out in the first planting and seeding seasons following the first occupation of a building on the site or the completion of the development, whichever is sooner. Any trees or plants which within a period of 5 years from the completion of landscape works on Site 5 are removed or become seriously damaged or diseased shall be replaced in the next planting season and with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure that form part of a building on Site 5 shall be completed before that building is first occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

79. No development approved by this planning permission shall take place on Site 5 until a remediation strategy that includes the components set out below to deal with the risks associated with potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating contamination sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme based on (1) above to provide information for a detailed assessment of the risk of all receptors that may be affected including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) above and, based on these, an options appraisal and

remediation strategy giving full details of any remediation measures required and how they are to be undertaken.

4. A verification plan, as required, providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Any changes to these components will require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In the interest of ensuring any contamination that may be present as a result of the historical use(s) of the site are identified and remediated.

80. No development shall take place on Site 5 until full details of both hard and soft landscape proposals for the site have been submitted to and approved by the Local Planning Authority. The proposals shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and ecology.

81. Prior to the commencement of development on Site 5 a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

82. Prior to the commencement of development of Site 5 details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: In the interest of highway safety

83. Prior to the commencement of development of Site 5, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.

Reason: In the interest of highway safety

84. During any form of earthworks and/or excavations that are carried out as part of the development of Site 5, suitable vehicle wheel washing equipment should be provided within the site as required, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit of the public at large.

85. The development on Site 5 shall not be occupied until vehicle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.



86. The development on Site 5 shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

87. The development hereby approved for Site 5 shall not contribute to onsite contamination.

Reason: In the interest of preventing any further contamination of Site 5.

88. No external plant or machinery (including air conditioning, refrigeration and extraction equipment) shall be erected on Site 5 without the prior approval of the Local Planning Authority. The details of any plant or machinery to be approval shall include predicted noise output levels. The development shall be carried out in accordance with the approved details.

Reason: In interest of the amenity of neighbouring and nearby residents and other occupiers.

89. Details of any temporary structures or hoardings that are to be provided during the development of Site 5 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on the site. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area.

90. No bonfires or burning of materials shall take place on Site 5 at any time.

Reason: In the interest of the residential amenity of the area.

91. The community hall building hereby permitted on Site 5 shall not be open to the public outside the following times: 07.00am and 10.00pm Monday to Sunday including Bank Holidays.

Reason: In the interest of the residential amenity of the area.

92. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987 (or any order revoking or re-enacting that order with or without modification), the building to be constructed on Site 5 in accordance with this permission shall be used for a community hall building only (Use Class D1) and for no other purpose whatsoever.

Reason: To ensure the provision of a community hall building is retained for that use in the interest of ensuring a sustainable local community.

93. Prior to the first occupation of the community hall building on Site 5 full details of the boundary treatments of the building and of the remainder of the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the appropriate demarcation of the public open space on Site 5.

94. Prior to the commencement of any works on Site 5 details of the pedestrian and cycle linkages that will be provided within the site and that will promote connections with the rest of the Harbour including with the Sovereign Harbour Retail Park and The Waterfront are to be submitted to and approved by the Local Planning Authority. The linkages shall be provided in accordance with the approved details.

Reason: In the interests of pedestrian and highway safety.

95. No occupation of any part of the permitted development on Site 5 shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy required pursuant to condition 79 and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if deemed necessary, is satisfactorily completed.

96. If, during development of Site 5, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and written approval for the associated strategy has been obtained from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In order to ensure that all site contamination is dealt with in an appropriate way in the interest of maintaining the quality of the local water sources.

97. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority which may be given for those parts of Site 5 where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development of Site 5 shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that surface water drainage from the proposed development does not result in the deterioration in quality of controlled waters.

98. Piling or any other foundation designs using penetrative methods shall not be permitted for the development of Site 5 hereby permitted except with the express written consent of the Local Planning Authority; which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent the contamination of underground water supplies.

99. Construction of the development of Site 5 hereby permitted shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: In the interest of flooding prevention.

100. The development of Site 5 shall not be occupied or brought into use as hereby permitted until a turning space for vehicles has been provided and constructed in accordance with details that are first to be submitted to and approved in writing by the Local Planning Authority. The turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the site and proceeding along the highway.

## **Site 6**

101. No development shall take place on any part of Site 6 until samples of the materials to be used in the external surfaces of that part of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in harmony with the surrounding area.

102. No development shall take place on any part of Site 6 until full details of both hard and soft landscape proposals for that area have been submitted to and approved by the Local Planning Authority. The proposals shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and ecology.

103. To avoid disturbance to nesting birds, any removal of scrub and / or trees on Site 6 that could provide nesting habitat is to be carried out outside the breeding season (March to August) unless a nesting bird check is carried out and submitted and approved in writing by the Local Planning Authority.

Reason: To safeguard the protection of wild birds.

104. Prior to commencement of works, a site specific reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority in accordance with the Sovereign Harbour Ecology and Biodiversity Statement (22 October 2013) received 19<sup>th</sup> November 2013 and thereafter implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To safeguard protected species.

105.

The reserved matter details to be submitted for Site 6 pursuant to condition 1 of this permission shall in consultation with the relevant statutory gas network provider(s) demonstrate how the development of the Site shall satisfactorily relate to the adjoining gas pipeline (Southern Gas Network ref. 2299 Mill Road/Cooden (GM9))

Reason: To ensure development is safely located in proximity to the gas pipeline.

106. No development shall commence on any part of Site 6 until fences required for the protection of trees that are to be retained and that may be impacted upon by the development have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with British Standard 5837:2012 and shall include details of any proposed works to the earth bund associated with Tree Preservation Order no.77. Tree protection fences shall be retained until completion of the relevant construction works. No vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: To protect trees which are to be retained on the site in the interest of the visual amenity of the area.

107. Details of all works to or affecting trees on or adjoining Site 6 shall be submitted to and approved by the Local Planning Authority, and shall be carried

out in accordance with the relevant recommendations of British Standard 5837:2012

Reason: In the interest of maintaining the health and vitality of the retained trees and hedgerows which add to the character and amenity of the site and surrounding area.

108. Landscape details submitted pursuant to condition 1 for Site 6 shall include details of the species and size of any hedging and trees proposed for the site.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

109. Any planting, seeding or turfing included in the approved landscape scheme for any part of Site 6 shall be carried out in the first planting and seeding seasons following the first occupation of a building on that part of the site or the completion of the development of that area, whichever is sooner. Any trees or plants which within a period of 5 years from the completion of landscape works on an individual part of Site 6 are removed or become seriously damaged or diseased shall be replaced in the next planting season and with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure that form part of an individual building plot within Site 6 shall be completed before that building is first occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

110. No development approved by this planning permission shall take place on Site 6 until a remediation strategy that includes the components set out below to deal with the risks associated with potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating contamination sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme based on (1) above to provide information for a detailed assessment of the risk of all receptors that may be affected including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) above and, based on these, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken.
4. A verification plan, as required, providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Any changes to these components will require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In the interest of ensuring any contamination that may be present as a result of the historical use(s) of the site are identified and remediated.

111. No development shall commence on any part of Site 6 until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for the storing of refuse and recycling within that part of the site and for access to the refuse stores by the occupiers of its buildings and by their collection vehicles.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

112. No development shall take place on Site 6 until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To reduce the risk of flooding, both on and off site, and to protect the water quality.

113. Prior to the commencement of development on Site 6 a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the access and the approach road, the hours of delivery/collection should avoid peak traffic flow times).

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

114. New estate roads within Site 6 shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.

Reason: In the interest of highway safety

115. Prior to the commencement of development on Site 6 details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: In the interest of highway safety.

116. Prior to the commencement of development on any part of Site 6, detailed drawings for that area, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.

Reason: In the interest of highway safety.

117. During any form of earthworks and/or excavations that are carried out as part of the development of Site 6, suitable vehicle wheel washing equipment shall be provided within the site as required, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

118. No development on Site 6 as hereby approved shall be occupied until its associated vehicle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

119. No development on Site 6 as hereby approved shall be occupied until its associated cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

120. Any roads that form part of the development for Site 6 hereby permitted that are not to be offered for adoption shall be laid out and constructed to standards at, or at least close to, adoption standards.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

121. The development hereby approved for Site 6 shall not contribute to on site contamination.

Reason: To ensure there is no additional contamination to Site 6.

122. No works shall be undertaken to the shingle mound adjoining Site 6 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the integrity of the shingle mound.

123. No external plant or machinery (including air conditioning, refrigeration and extraction equipment) shall be erected on Site 6 without the prior approval of the Local Planning Authority. The details to be approval shall include predicted noise output levels. The development shall be carried out in accordance with the approved details.

Reason: In interest of the amenity of neighbouring and nearby residents and other occupiers.

124. Details of any temporary structures or hoardings that are to be provided during the development of Site 6 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on the site. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area.

125. No bonfires or burning of materials shall take place on Site 6 at any time.

Reason: In the interest of the amenity of neighbouring occupants.

126. Prior to the commencement of any works on Site 6 details of the pedestrian and cycle linkages that will be provided within the site and that will promote connections with the rest of the Harbour including with the Sovereign Harbour Retail Park and The Waterfront are to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety.

127. No occupation of any part of the permitted development on Site 6 shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy required pursuant to condition 110 and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if deemed necessary, is satisfactorily completed.

128. If, during development of Site 6, contamination not previously identified is found to be present at the Site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out on that part of the Site until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and written approval for the associated strategy has been obtained from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In order to ensure that all site contamination is dealt with in an appropriate way in the interest of maintaining the quality of the local water sources.

129. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority which may be given for those parts of Site 6 where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development of Site 6 shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that surface water drainage from the proposed development does not result in the deterioration in quality of controlled waters.

130. Piling or any other foundation designs using penetrative methods shall not be permitted for the development of Site 6 hereby permitted except with the express written consent of the Local Planning Authority; which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the contamination of underground water supplies.

131. Construction of the development of Site 6 hereby permitted shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: In the interest of flooding prevention.

132. The development of Site 6 shall not be occupied or brought into use as hereby permitted until a turning space for vehicles has been provided and constructed in accordance with details that are first to be submitted to and approved in writing by the Local Planning Authority. The turning space shall thereafter be retained for that use and shall not be used for any other purpose. Reason: To ensure the safety of persons and vehicles entering and leaving the site and proceeding along the highway.

## **Site 7**

133. Development shall not take place on any part of Site 7 until samples of the materials to be used in the external surfaces of that part of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in harmony with the surrounding area.

134. No development shall take place on any part of Site 7 until full details of both hard and soft landscape proposals for that part of the development have been submitted to and approved by the Local Planning Authority. The proposals shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and ecology

135. Prior to commencement of works on Site 7 area A, B or C as indicated on plan ref Site 7 Parameter Plans 05, a site specific reptile mitigation strategy for that part of the site shall be submitted to and approved in writing by the Local Planning Authority in accordance with the Sovereign Harbour Ecology and Biodiversity Statement (22 October 2013) received 19<sup>th</sup> November 2013 and thereafter implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To safeguard protected species.

136.

The reserved matter details to be submitted for Site 7 pursuant to condition 1 of this permission shall in consultation with the relevant statutory gas network provider(s) demonstrate how the development of the Site shall satisfactorily relate to the adjoining gas pipeline (Southern Gas Network ref. 2299 Mill Road/Cooden (GM9) Reason: To ensure development is safely located in proximity to the gas pipeline.

137. No development shall commence on any part of Site 7 until fences for the protection of trees that are to be retained and that may be impacted upon by that part of the development have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme as submitted shall be in accordance with British Standard 5837:2012. If the x3 Poplars that are located within Site 7 on the junction of Pevensey Bay Road and Pacific Drive are to be retained, a 2.4m high protective hoarding will be located around those trees. Any tree protection fences and hoarding shall be retained until completion of the associated construction works and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: to protect trees which are to be retained on the site in the interest of the visual amenity of the area.



138. No bonfires or burning of materials shall take place on Site 7 at any time.  
Reason: In the interest of the character and amenity of the area.

139. Details of all works to or affecting trees on or adjoining Site 7 shall be submitted to and approved by the Local Planning Authority, and shall be carried out in accordance with the relevant recommendations of British Standard 5837:2012

Reason: In the interest of maintaining the health and vitality of the retained trees and hedgerows which add to the character and amenity of the site and surrounding area.

140. No development shall take place on Site 7 area A, B or C until a surface water drainage scheme for that part of the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy for each part of the site should demonstrate that the surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the equivalent part of the site if it remained undeveloped following the corresponding rainfall event. The scheme for each part of Site 7 shall subsequently be implemented in accordance with the approved details before the development of that part of the site is completed. The scheme(s) shall also include details of how the scheme(s) shall be maintained and managed after completion.

Reason: To reduce the risk of flooding, both on and off site, and to protect the water quality.

141. Landscape details submitted pursuant to condition 1 for Site 7 shall include details of the species and size of any hedging and trees proposed for the site.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

142. Any planting, seeding or turfing included in the approved landscape schemes for Site 7 area A, B or C shall be carried out in the first planting and seeding seasons as relevant following:

- The first occupation of the part of Site 7 area A, B or C that has been developed or the full completion of the development of Site 7 area A, B or C, whichever is sooner.

Any trees or plants which within a period of 5 years from the completion of the individual landscape works on Site 7 A, B and C are removed or become seriously damaged or diseased shall be replaced in the next planting season and with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure that form part of an individual building plot within Site 7 shall be completed before that building is first occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenity of the area.

143. No development approved by this planning permission shall take place on Site 7 area A, B or C until a remediation strategy that includes the components set out below to deal with the risks associated with contamination of that part of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating contamination sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme based on (1) above to provide information for a detailed assessment of the risk of all receptors that may be affected including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) above and, based on these, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken.
4. A verification plan, as required, providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Any changes to these components will require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In the interest of ensuring any contamination that may be present as a result of the historical use(s) of the site are identified and remediated.

144. Prior to the commencement of development on Site 7 area A, B or C a Construction Traffic Management Scheme for that part of the site shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

145. New estate roads within Site 7 shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.

Reason: In the interest of highway safety

146. Prior to the commencement of development of Site 7 area A, B or C details of the proposed surface water drainage to prevent the discharge of surface water from that part of the site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: In the interest of highway safety.

147. Prior to the commencement of development on Site 7 area A, B or C, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided within that part of the site, shall be submitted to the Planning Authority.  
Reason: In the interest of highway safety.

148. During any form of earthworks and/or excavations that are carried out as part of the development of Site 7, suitable vehicle wheel washing equipment should be provided within the site as required, to the approval of the Local Planning Authority, to prevent contamination and damage to the adjacent roads.  
Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

149. No part of Site 7 shall be occupied until its associated vehicle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.  
Reason: To ensure the safety of persons and vehicles entering and leaving the Site.

150. No part of Site 7 shall be occupied until its associated cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.  
Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

151. The Highway Authority would wish to see any roads within Site 7 that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards.  
Reason: In the interest of highway safety.

152. Details of any temporary structures or hoardings that are to be provided during the development of Site 7 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on the site. The proposals shall be carried out in accordance with the approved details.  
Reason: In the interest of the visual amenity of the area.

153. The development hereby approved for Site 7 shall not contribute to onsite contamination.  
Reason: To ensure there is no additional contamination to Site 7.

154. Prior to any works commencing on Site 7 area A, B or C details of the pedestrian and cycle linkages within that part of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate how that area of Site 7 shall connect with the remainder of Site 7 and with the Harbour generally including with the Sovereign Harbour Retail Park and The Waterfront.  
Reason: In the interests of pedestrian and highway safety and of sustainable development.

155. No occupation of any part of the development hereby permitted on Site 7 area A, B or C shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy required pursuant to condition 143 for that part of the site and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The

report(s) shall include results of sampling and monitoring carried out in accordance with the approved verification plan(s) to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if deemed necessary, is satisfactorily completed.

156. If, during development of Site 7, contamination not previously identified is found to be present at the site then no further development on that part of the site (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and written approval for the associated strategy has been obtained from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In order to ensure that all site contamination is dealt with in an appropriate way in the interest of maintaining the quality of the local water sources.

157. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority which may be given for those parts of Site 7 where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development of Site 7 shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that surface water drainage from the proposed development does not result in the deterioration in quality of controlled waters.

158. Piling or any other foundation designs using penetrative methods shall not be permitted for the development of Site 7 hereby permitted except with the express written consent of the Local Planning Authority; which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the contamination of underground water supplies.

159. Construction of the development of Site 7 area A, B or C hereby permitted shall not commence until details of the proposed means of foul sewerage and surface water disposal for that part of the Site have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: In the interest of flooding prevention.

160. The development of Site 7 A or C shall not be occupied or brought into use as hereby permitted until a turning space for vehicles has been provided and constructed for that area of the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The turning spaces shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the site and proceeding along the highway.

161. The reserved matters submission for Site 7B pursuant to condition 1 of this permission shall include details of a pedestrian access point within the site to facilitate links between the site and a planned improved pedestrian crossing facility over Pacific Drive. The public open space on Site 7B shall not be brought into use until the pedestrian access point within the site has been provided in accordance with the approved details.

Reason: In the interest of pedestrian safety.

162. Prior to the occupation of any building on Site 7A or of any residential property on Site 7C details of its associated boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of the visual appearance and integration of the development into its surroundings.

163. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no buildings, structures, walls or fences of any kind shall be erected within the curtilages of the dwellings hereby permitted on Site 7C and no windows, dormer windows, doors or openings of any kind shall be constructed in the dwellings on the site without the prior approval in writing of the Local Planning Authority.

Reason: To prevent the over-development of the site, to safeguard the privacy of occupiers of adjoining properties and in the interest of the visual amenity of the area.

164. No development shall commence on Site 7C until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for the storing of domestic refuse and recycling and for access to the refuse stores by the occupiers of the buildings and by collection vehicles.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

165. Before construction commences on individual building plots on Site 7C, the new estate roads required to access that part of the site shall be completed to base course level, together with the surface water and foul sewers and mains services.

Reason: In the interest of highway safety.

166. Details of the proposed noise insulation of the residential properties to be developed on any part of Site 7C shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development of that part of the Site. The insulation shall thereafter be installed in accordance with the approved details prior to the first occupation of each dwelling.

Reason: In the interest of the amenity of future occupiers of the dwellings.

167. Before the construction of each building on Site 7A and the first residential building on Site 7C is commenced, details of their related bird deterrent measures shall be submitted to and approved by the Local Planning Authority. Thereafter the approved measures shall be implemented before each building is first occupied.

Reason: In the interest of the amenities of neighbouring residents.

168. The Reserved Matters for subsequent approval in relation to the development of Site 7C shall be in accordance with the parameters and principles set out in drawing Site 7 ref Parameter Plans 08 and shall not exceed more than 70 residential dwellings (Use Class C3).

Reason: To ensure the overall total number of residential dwellings provided across Sites 1, 7C and 8 does not exceed 150 units in total.

## **Site 8**

169. No development shall take place on Site 8 until samples of the materials to be used in the external surfaces of the development on the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in harmony with the surrounding area.

170. Prior to the first occupation of any part of Site 8 details of proposed boundary treatments across the site shall be submitted to and approved in writing by the Local Planning Authority. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of the visual appearance and integration of the development into its surroundings.

171. No development shall take place until a surface water drainage scheme for Site 8, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To reduce the risk of flooding, both on and off site, and to protect the water quality.

172. The reserved matters details to be submitted for Site 8 pursuant to condition 1 of this permission shall include details of future maintenance access to the harbour walls adjoining the site.

Reason: In the interest of maintaining flood defences.

173. No development approved by this planning permission shall take place on Site 8 until a remediation strategy that includes the components set out below to deal with the risks associated with potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating contamination sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme based on (1) above to provide information for a detailed assessment of the risk of all receptors that may be affected including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) above and, based on these, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken.
4. A verification plan, as required, providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Any changes to these components will require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In the interest of ensuring any contamination that may be present as a result of the historical use(s) of the site are identified and remediated.

174. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no buildings, structures, walls or fences of any kind shall be erected within the curtilages of the dwellings hereby permitted on Site 8 and no windows, dormer windows, doors or openings of any kind shall be constructed in the dwellings on the site without the prior approval in writing of the Local Planning Authority.

Reason: To prevent the over-development of the site, to safeguard the privacy of occupiers of adjoining properties and in the interest of the visual amenity of the area.

175. No development shall commence on Site 8 until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for the storing of domestic refuse and recycling and for access to the refuse stores by the occupiers of the buildings on the site and by collection vehicles.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

176. Prior to the commencement of development on Site 8 a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

177. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.

Reason: In the interest of highway safety.

178. Prior to the commencement of development of Site 8 details of the proposed surface water drainage to prevent the discharge of surface water from the site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

Reason: In the interest of highway safety.

179. Prior to the commencement of development on Site 8, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided on the site, shall be submitted to the Planning Authority.

Reason: In the interest of highway safety.

180. During any form of earthworks and/or excavations that are carried out as part of the development of Site 8, suitable vehicle wheel washing equipment should be provided within the site as required, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit of the public at large.

181. No part of Site 8 shall be occupied until its associated vehicle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

182. No part of Site 8 shall be occupied until its associated cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

183. Before construction of the residential buildings on Site 8 commences, the new estate roads that serve them shall be completed to base course level, together with the surface water and foul sewers and mains services.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

184. Roads within Site 8 that are not to be offered for adoption shall be laid out and constructed to standards at, or at least close to, adoption standards.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large.

185. Details of the proposed noise insulation of the residential properties to be developed on Site 8 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development of the Site. The insulation shall thereafter be installed in accordance with the approved details prior to the first occupation of each dwelling.

Reason: In the interest of the amenity of future occupiers of the dwellings.

186. The development approved shall not contribute to onsite contamination.

Reason: To ensure there is no additional contamination to site 8.



187. Details of any temporary structures or hoardings that are to be provided during the development of Site 8 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on the site. The proposals shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area.

188. Before the construction of any residential building on Site 8 is commenced, details of bird deterrent measures shall be submitted to and approved by the Local Planning Authority. The approved measures shall be implemented before each residential building is first occupied.

Reason: In the interest of the amenities of neighbouring residents.

189. No bonfires or burning of materials shall take place on Site 8 at any time.

Reason: In the interest of the residential amenity of the area.

190. Details of any future berth holder facilities on Site 8 shall be submitted to and approved in writing by the Local Planning Authority and shall be constructed in accordance with the approved details.

Reason: In the interest of the appropriate planning of the site and of the amenity of the residential amenity of the site and its surroundings.

191. In accordance with approved drawing ref. Parameter Plans 09, 50% of Site 8 shall be retained as public open space. The calculation of public open space within the site shall include all areas that will be accessible to the general public including land set aside within the site for a potential future berth holder facility but excluding the vehicular access between the junction with Pacific Drive and the western edge of the main rectangular area of Site 8.

Reason: To ensure appropriate provision of public open space on the site.

192. The Reserved Matters for subsequent approval in relation to the development of Site 8 shall be in accordance with the parameters and principles set out in drawing Site 8ref Parameter Plans 09 and shall not exceed more than 8 residential dwellings (Use Class C3).

Reason: To ensure the overall total number of residential dwellings provided across Sites 1, 7C and 8 does not exceed 150 units in total.

193. Prior to the commencement of any works on Site 8 details of the pedestrian and cycle linkages that will be provided within the site and that will promote connections with the rest of the Harbour including with the Sovereign Harbour Retail Park and The Waterfront are to be submitted to and approved by the Local Planning Authority. Thereafter the linkages will be provided in accordance with the approved details.

Reason: In the interests of pedestrian and highway safety and of sustainable development.

194. No occupation of any part of the permitted development on Site 8 shall take place until a verification report required pursuant to condition 173 demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as

identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if deemed necessary, is satisfactorily completed.

195. If during construction on Site 8, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out on that part of the site until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and written approval for the associated works has been obtained from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In order to ensure that all site contamination is dealt with in an appropriate way in the interest of maintaining the quality of the local water sources.

196. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority which may be given for those parts of Site 8 where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development of Site 8 shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that surface water drainage from the proposed development does not result in the deterioration in quality of controlled waters.

197. Piling or any other foundation designs using penetrative methods shall not be permitted for the development of Site 8 hereby permitted except with the express written consent of the Local Planning Authority; which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the contamination of underground water supplies.

198. Construction of the development of Site 8 hereby permitted shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: In the interest of flooding prevention.

199. The development of Site 8 shall not be occupied or brought into use as hereby permitted until a turning space for vehicles has been provided and constructed in accordance with details that are first to be submitted to and approved in writing by the Local Planning Authority. The turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the site and proceeding along the highway.

## **Informatives**

### **Environment Agency, Dated 10 January 2014** **Groundwater Protection Advice to Applicant**

1. As parts of the development sites are located on historic landfill it will be necessary to provide a desk study which gives comprehensive details of site historic uses, and defines the conceptual site model for the site. Further intrusive investigation will then be required to provide further evidence of the physical and chemical composition of the underlying materials in each area.
2. Heavy metal and hydrocarbon contamination has been found in Site 7a, therefore it will be necessary to provide the data to show that these levels are below guideline values for residential and commercial uses as stated in the report.
3. It will also be necessary to provide a full drainage plan to illustrate the scheme for disposal of foul and surface water on each of the development sites. This should detail the level of treatment required to prevent pollution to controlled waters. The use of sustainable urban drainage systems (SUDS) for new discharges will be supported. Where infiltration SUDS are to be used for surface runoff from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent pollution of groundwater. Further information can be found in the SUDS manual (CIRIA, 2007).
4. It is recommended that developers should:
  1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
  2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that they require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
  3. Refer to their website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.
5. The Environment Agency refers the applicant to their groundwater policies in Groundwater Protection: Principles and Practice, available from our website. This sets out our position for a wide range of activities and developments, including the discharge of liquid effluents, land contamination and drainage.
6. A formal Application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
7. Site 4: An upgrading of Pacific Drive No1 Eastbourne Wastewater Pumping Station may be required to accommodate the flows from the proposed development. The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.
8. Site 8: Due to the vibration, noise and potential odour generated by sewerage pumping stations, no habitable rooms should be located closer than 15m to the boundary of a proposed pumping station site.

## General informative

The applicant is advised that the development of Sites 1, 4, 5, 7 and 8 is each subject to a s106 legal agreement, dated 2<sup>nd</sup> December 2014, the provisions of which include but are not limited to obligations relating to the following:

- Travel Plans (Sites 1, 4, 5, 7A, 7C)
- Public Open Space Provision (Sites 1, 4, 7B and 8)
- Provision of B1a office space (Sites 4 and 7A)
- Development of the new community hall building (Sites 5 or 7a)
- Community contribution payments to East Sussex County Council (Sites 1, 7c and 8)

.....  
  
.....  
**Leigh Palmer**  
**Senior Specialist Advisor**