

Appendix B - Planning Conditions

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Proposed Drawing	11268-EPR-01-00-TP-A-03-100		1 December 2023
Proposed Drawing	11268-EPR-01-01-TP-A-03-102		1 December 2023
Proposed Drawing	11268-EPR-01-02-TP-A-03-104		1 December 2023
Proposed Drawing	11268-EPR-01-03-TP-A-03-106		1 December 2023
Proposed Drawing	11268-EPR-01-04-TP-A-03-108		1 December 2023
Proposed Drawing	11268-EPR-01-05-TP-A-03-110		1 December 2023
Proposed Drawing	11268-EPR-01-06-TP-A-03-112		1 December 2023
Proposed Drawing	11268-EPR-01-07-TP-A-03-114		1 December 2023
Proposed Drawing	11268-EPR-01-08-TP-A-03-116		1 December 2023
Proposed Drawing	11268-EPR-01-09-TP-A-03-118		1 December 2023
Proposed Drawing	11268-EPR-01-10-TP-A-03-120		1 December 2023
Proposed Drawing	11268-EPR-01-11-TP-A-03-122		1 December 2023
Proposed Drawing	11268-EPR-01-12-TP-A-03-124		1 December 2023
Proposed Drawing	11268-EPR-02-00-TP-A-03-101		1 December 2023
Proposed Drawing	11268-EPR-02-01-TP-A-03-103		1 December 2023
Proposed Drawing	11268-EPR-02-02-TP-A-03-105		1 December 2023
Proposed Drawing	11268-EPR-02-03-TP-A-03-107		1 December 2023
Proposed Drawing	11268-EPR-02-04-TP-A-03-109		1 December 2023
Proposed Drawing	11268-EPR-02-05-TP-A-03-111		1 December 2023

Proposed Drawing	11268-EPR-02-06-TP-A-03-113		1 December 2023
Proposed Drawing	11268-EPR-02-07-TP-A-03-115		1 December 2023
Proposed Drawing	11268-EPR-02-08-TP-A-03-117		1 December 2023
Proposed Drawing	11268-EPR-02-09-TP-A-03-119		1 December 2023
Proposed Drawing	11268-EPR-02-10-TP-A-03-121		1 December 2023
Proposed Drawing	11268-EPR-02-11-TP-A-03-123		1 December 2023
Proposed Drawing	11268-EPR-BA-ZZ-TP-A-04-100		1 December 2023
Proposed Drawing	11268-EPR-BB-ZZ-TP-A-04-101		1 December 2023
Proposed Drawing	11268-EPR-BC-ZZ-TP-A-04-102		1 December 2023
Proposed Drawing	11268-EPR-BD-ZZ-TP-A-04-103		1 December 2023
Proposed Drawing	11268-EPR-BH-ZZ-TP-A-04-107		1 December 2023
Proposed Drawing	11268-EPR-BE-ZZ-TP-A-04-104		1 December 2023
Proposed Drawing	11268-EPR-BF-ZZ-TP-A-04-105		1 December 2023
Proposed Drawing	11268-EPR-BG-ZZ-TP-A-04-106		1 December 2023
Proposed Drawing	11268-EPR-BI-ZZ-TP-A-04-108		1 December 2023
Proposed Drawing	11268-EPR-ZZ-00-TP-A-01-100		1 December 2023
Proposed Drawing	11268-EPR-ZZ-00-TP-A-01-101		1 December 2023
Proposed Drawing	11268-EPR-ZZ-00-TP-A-01-102		1 December 2023
Proposed Drawing	11268-EPR-ZZ-03-TP-A-03-001		1 December 2023
Proposed Drawing	11268-EPR-ZZ-14-TP-A-01-103		1 December 2023
Proposed Drawing	11268-EPR-ZZ-EL-TP-A-01-400		1 December 2023
Proposed Drawing	11268-EPR-ZZ-EL-TP-A-01-401		1 December 2023
Proposed Drawing	11268-EPR-ZZ-EL-TP-A-01-402		1 December 2023
Proposed Drawing	11268-EPR-ZZ-EL-TP-A-01-403		1 December 2023
Proposed Drawing	11268-EPR-ZZ-GS-TP-A-01-500		1 December 2023

Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-100		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-101		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-102		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-103		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-104		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-105		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-106		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-107		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-110		1 December 2023
Proposed Drawing	11268-EPR-ZZ-ZZ-TP-A-04-109		1 December 2023
Proposed Drawing	11268-EPR-ZZ-ZZ-TP-A-04-110		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-108		1 December 2023
Proposed Drawing	11268-EPR-ZZ-XX-TP-A-05-109		1 December 2023
Report/Statement	Energy Statement Rev 02 Nov 2023		1 December 2023
Report/Statement	Arboricultural Impact Assessment Rev 01 Nov 2023		1 December 2023
Report/Statement	Transport Assessment - 280419-00		1 December 2023
Report/Statement	Remediation Options Appraisal and Strategy - 5204803 RS,		1 December 2023
Report/Statement	Air Quality and Odour Management Plan	Rev 00	1 December 2023
Report/Statement	Operational Waste Management Plan Rev 02 Nov 2023		1 December 2023
Report/Statement	Ecological Assessment8757.Ec oAs.vf1		1 December 2023
Report/Statement	Pedestrian Microclimate CFD Study WF247-07F02	Rev 2	1 December 2023

Report/Statement	SUSTAINABILITY STATEMENT	Rev 2	1 December 2023
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Pre-commencement

3. The development hereby approved shall not be commenced until a phasing plan showing the location of phases and the sequencing for those phases has been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the plan thereby approved. The phasing plan may be updated subject to the written approval in advance of the Local Planning Authority.
Reason: To ensure that the Local Planning Authority has the necessary control over the implementation and phasing of the development.

4. Prior to the commencement of any demolition, site preparation or enabling works within any relevant phase of the development, details of any demolition, site preparation or enabling works shall be submitted and approved by the Local Planning Authority. Any such works approved under this condition are referred to in other conditions as ‘demolition, site preparation or enabling works’. The above works shall be carried out in accordance with the approved details.
Reason: To ensure that the Local Planning Authority has the necessary control over the implementation and phasing of the development.

5. Prior to commencement of piling or deep foundation works using penetrative methods a Foundation Works Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: Areas of contamination may be present on this site. Piling or deep foundation using penetrative methods, has the potential to mobilise contamination, this could impact on groundwater resources beneath the site. To comply with policies DM40, DM41 and DM42 of City Plan Part 2 and in accordance with paragraph 180 of the NPPF.

6. Prior to the commencement of the development hereby permitted, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the establishment of a Community Liaison Group to include representation from the applicant and site contractor, the Council and local residents. The scheme shall include provision for:
 - i) The appointment of a chairperson,
 - ii) The appointment of a liaison representative from the developer or their appointee, and any relevant contractors and their contact details;
 - iii) A community complaints procedure;
 - iv) The production, approval and publication of minutes of Community Liaison Group meetings;
 - v) Details of how the group will operate, including its terms of reference, and frequency of meetings; and,

vi) An implementation programme.

Thereafter, the scheme shall be implemented and adhered to in accordance with the approved details throughout the lifetime of the development.

Reason: In the interest of local amenity and to comply with policy CP9 of the Brighton & Hove City Plan Part 1 and policies DM20, DM40 and DM41 of Brighton & Hove City Plan Part 2.

7. No development (excluding demolition, site preparation or enabling works) of any phase shall take place until a programme of archaeological works in accordance with a Stage 1 written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority. Development within each phase shall take place in accordance with the agreed WSI for that Phase.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policies DM31 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.

8. All remediation works shall be carried out in accordance with the Air Quality and Odour Management Plan (AQOMP) (Atkins ref. 5204803 OMS, December 2023). The baseline monitoring identified in paragraph 4.3 of the AQOMP shall also include vapour monitoring (through vapour collection and laboratory analysis). Prior to commencing any remediation works, baseline monitoring results, together with analysis of the additional vapour results, shall be submitted to the Local Planning Authority. If these results indicate that any changes that will be required to the AQOMP, an updated version shall be submitted to and agreed in writing by the Local Planning Authority prior to commencing remediation works. The remediation shall be carried out in accordance with the approved AQOMP.

Reason: To safeguard the health of local residents and future residents or occupiers of the site and to comply with policies DM40 and DM41 of City Plan Part 2.

9. No demolition shall take place until a Demolition Environmental Management Plan (DEMP) has been submitted to and approved in writing by the Local Planning Authority. The DEMP shall include:

- (i) The phases of the proposed demolition including the estimated completion date(s)
- (ii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
- (iii) A scheme of how the contractors will minimise disturbance to neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site
- (iv) Details of hours of demolition including all associated vehicular movements
- (vi) A plan showing demolition traffic routes,
- (vii) A method statement setting out practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts

on ecology during construction and including a pre-works check for Schedule 9 invasive plant species,

(viii) A Site Waste Management Plan

The demolition shall be carried out in accordance with the approved DEMP.

Reason: As this matter is fundamental to the protection of amenity, ecology, highway safety and maximise the sustainable management of waste and to minimise the need for landfill capacity throughout development works and to comply with policies DM20, DM33, DM40 and DM41 of Brighton & Hove City Plan Part 2, policy CP8 and CP10 of the Brighton & Hove City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

10. No development of a phase (excluding site preparation, demolition, enabling works), shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

(i) The estimated construction dates of the phase(s);

(ii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)

(iii) A scheme of how the contractors will minimise disturbance to neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site employee and contractor parking arrangements,

(iv) Details of hours of construction including all associated vehicular movements

(v) Details of the construction compound

(vi) A plan showing construction traffic routes,

(vii) A method statement setting out practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on ecology during construction and including a pre-works check for Schedule 9 invasive plant species.

(viii) A Site Waste Management Plan

The construction shall be carried out in accordance with the approved CEMP.

Reason: As this matter is fundamental to the protection of amenity, ecology highway safety and maximise the sustainable management of waste and to minimise the need for landfill capacity throughout development works and to comply with policies DM20, DM33, DM40 and DM41 of Brighton & Hove City Plan Part 2, policy CP8 and CP10 of the Brighton & Hove City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

11. No development (excluding site preparation and demolition works) hereby permitted shall commence until full details of existing and proposed ground levels (referenced as Above Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures of that

phase, have been submitted to and approved by the Local Planning Authority. Each development phase shall then be implemented in accordance with the approved level details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with Policies DM18 and DM20 of Brighton & Hove City Plan Part 2 and CP12 of the Brighton & Hove City Plan Part One.

12. No phase of the development hereby permitted (excluding demolition, site preparation or enabling works) shall be commenced until a surface water drainage scheme for each phase, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- A CCTV survey to confirm the existing sewerage connection and its condition.
- Any BRE365 tests necessary to confirm suitability of the proposed drainage strategy.
- Details of maintenance of the drainage system throughout its operation.

The scheme for each phase shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: As this matter is fundamental to the acceptable delivery of the permission to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies DM42 and DM43 of City Plan Part and CP11 of the Brighton & Hove City Plan Part One.

13. Prior to commencement (excluding demolition, site preparation or enabling works) of any phase, details of the proposed means of surface water runoff disposal in accordance with Part H3 of the Building Regulations hierarchy as well as acceptable discharge points, rates and volumes for that phase shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority and Southern Water. The approved details shall thereafter be implemented in full, for that phase, prior to occupation and maintained throughout the operation of the development.

Reason: As this matter is fundamental to the acceptable delivery of the permission to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies DM42 and DM43 of City Plan Part and CP11 of the Brighton & Hove City Plan Part One.

14. Prior to the commencement of any remediation works, further details of the exclusion zones as described in the Air Quality and Odour Management Plan (ref. 5204803 OMS December 2023), where excavated made ground or pile arisings containing potentially contaminated or odorous material (i.e. excluding chalk or concrete) shall not be stockpiled shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include proposed locations, how the exclusion zones will be managed and timeframes

for the movement of potentially contaminated or odorous material from excavations or piling within any exclusion zone. The remediation works will be carried out in accordance with the agreed details.

Reason: To safeguard the health of local residents and future residents or occupiers of the site and to comply with policies DM40 and DM41 of City Plan Part Two.

Prior to development above ground floor floor slab level

15. Notwithstanding any details shown on the approved plans, no development above ground floor slab level of any phase of the development hereby permitted shall take place until details of all materials to be used in the construction of the external surfaces of the building(s) in that phase of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) Samples/details of all brick, mortar, roofing materials (including details of the colour of render/paintwork to be used)
 - b) Samples/details of all cladding to be used, including details of their treatment to protect against weathering and details on longevity
 - c) samples/details of the proposed window, door and balcony treatments
 - d) samples/details of all other materials to be used externally
 - e) details of external materials maintenance plans

Each phase of the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies DM18 and DM29 of Brighton & Hove City Plan Part 2 and DA2, CP12, CP13 and CP15 of the Brighton & Hove City Plan Part One.

16. Notwithstanding any details shown on the approved plans, no development above ground floor slab for any phase of the development hereby permitted shall take place until example bay studies for each building type, including 1:20 scale elevational drawings and sections showing full details of;
- window(s) and their reveals and cills,
 - parapets, copings and plant enclosures,
 - all ground floor residential and commercial frontages,
 - all ground floor plant, cycle / refuse storage and vehicular entrances

have been submitted to and approved in writing by the Local Planning Authority. The works to each phase shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies DM18 and DM29 of Brighton & Hove City Plan Part 2 and DA2, CP12, CP13 and CP15 of the Brighton & Hove City Plan Part One.

17. The development hereby permitted shall not exceed ground floor slab level until a written scheme has been submitted to the local planning authority for approval which demonstrates how and where ventilation will be provided to each flat within the development including specifics of where the clean air is drawn from and that sufficient acoustic protection is built into the system to

protect end users of the development. The approved scheme shall ensure compliance with Building Regulations as well as suitable protection in terms of air quality and shall be implemented prior to occupation and retained thereafter.

Reason: To safeguard the amenities of the occupiers of the development and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.

18. Notwithstanding any details shown on the approved plans, no development above ground floor slab of Block G shall take place until details of oriel windows, to be provided in the north and south facing elevations in Block G, designed to ensure sufficient privacy for future occupiers of the scheme, have been submitted to and approved in writing by the Local Planning Authority. The details shall include elevations and floorplans and works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure an acceptable standard of accommodation for future occupiers is provided and maintained thereafter and to comply with policies DM1 and DM20 of the Brighton and Hove City Plan Part Two.

19. No development above ground floor slab shall take place in any phase until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following measures:

- Details of the 'right to park' management system for the prospective residents and employees of the site,
- Car park layout plan for all motor vehicles and motorbikes including details on disabled vehicle spaces,
- Details of the management and enforcement measures to prevent misuse/indiscriminate parking, including (but not limited to) the on-site management personnel and the ANPR system proposed (or other equivalent measure to ensure that parking permits are used appropriately).

The measures shall be implemented in full prior to first occupation and retained as such thereafter.

Reason: To ensure the development maintains a sustainable transport strategy and to comply with policies DM33, DM36 and SPD14 Parking Standards of the Brighton & Hove City Plan Part Two.

20. No development above ground floor slab of Block B shall take place until a noise assessment is carried out to consider the soundscape adjacent to the existing electrical substation outside of the application site. Specifically, low frequency noise shall be assessed in line with the requirements of NANR45 and third octave bands from 10-160Hz inside the nearest residential dwelling. The results of the noise assessment shall inform the Noise Mitigation Plan in condition 21.

Reason: To safeguard the amenities of future occupiers and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.

21. No development above ground floor slab shall take place until a Noise Mitigation Plan detailing the façade noise exposure and the glazing and

proposals for each phase of the development hereby permitted, presenting the worst-case façade data is submitted and agreed in writing by the Local Planning Authority. The plan shall include rigorous calculations for each of the worst case facades which detail the relevant building fabric and ratios of glazing to façade. The mitigation measures for each phase shall be carried out in full prior to first occupation of any relevant phase. For the avoidance of doubt, the term 'rigorous calculation' is extracted from section G2 of BS8233:2014 – "Guidance on Sound Insulation and Noise Reduction of Noise in Buildings". The mitigation plan shall also include details of how this will be validated with a minimum of 4 bedrooms and 4 dining rooms of the worst-case facades selected on buildings in each phase.

The Noise Mitigation Plan shall be implemented in full prior to first occupation and retained as such thereafter.

Reason: To safeguard the amenities of future occupiers, to protect local commercial occupiers (agent of change) and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.

22. No development above ground floor slab for any phase shall commence until full construction and installation details of the compensatory bird, bat and bee bricks has been submitted to and approved in writing by the Local Planning Authority. The number of boxes and their siting shall be as set out in Plan ECO4, ECO5 and ECO5b of the approved Ecological Assessment (Ecology Solutions, November 2023) which confirms that the following will be provided:

- 140 no. swift bricks
- 6 no. bat bricks
- 140 no. bee bricks

The scheme shall then be carried out in strict accordance with the approved details and thereafter retained.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Pre-occupation

23. No phase of the development hereby permitted shall be occupied until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition 5.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policies DM31 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.

24. Prior to the occupation of any phase of the development hereby approved a Waste & Recycling Management Plan, which includes details of the types of storage for residential and commercial residual waste and recycling materials (including separated food waste), provision for waste collection vehicle access, and the anticipated frequency of collections for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall thereafter be implemented for each phase of the development.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies CP9 of the Brighton & Hove City Plan Part 1 and Brighton & Hove City Plan Part 2 and DM36 and DM40 the and the Waste and Minerals Plan for East Sussex, South Downs and Brighton & Hove.

25. Notwithstanding the details on the drawings hereby approved, full details of screening and / or planting to protect the amenity of any residential occupiers with private terraces fronting onto the residential podium gardens for each phase of the development shall be submitted and approved by the Local Planning Authority. The screening and / or planting shall be installed prior to first occupation of each phase and shall thereafter be retained.

Reason: To protect the amenity of future occupiers in respect of privacy and to comply with Policy DM20 of the Brighton and Hove City Plan Part Two.

26. Prior to occupation of each phase of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme for that phase shall be implemented in full, in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include the type, position, design, dimensions and materials and any sustainable drainage system used;
- b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including food-bearing trees/plants, and details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, defect period and maintenance plan;
- c. both shade and wind tolerant species of a mixture of native and exotic origin that are capable of thriving on the specific soil type found on the site should be included where planting locations receive low levels of annual sunlight and strong winds,
- d. measures to promote healthy root growth such as mulching and shared root trenches between planted specimens shall be included in the landscaping proposals to maximise the survival rate of replacement trees;
- e. details of all food growing areas, including a maintenance plan and provision of storage for necessary tools and equipment,
- f. details of all existing and proposed boundary treatments to include type, position, design, dimensions and materials;
- g. details of proposals that show a visual reference to the position and extent of the historic flint boundary wall.

- h. details of the children's play areas including equipment to be installed and any boundary treatments,
- i. a landscaping plan for the Boundary Road.
- j. Details of a wayfinding scheme
- k. Details of the new pedestrian/cycle route though the site.
- l. Extents of permeable pavings to be confirmed following contamination studies and confirmation of all drain points and locations,

Any trees or plants which within a period of 5 years from the completion of each phase of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The landscaping scheme, including all boundary treatments, food growing areas and children's play areas shall be retained thereafter.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to provide amenity, social, ecological and sustainability benefits, to comply with policies DM1, DM18, DM22, DM37, DM42 and DM43 of Brighton & Hove City Plan Part 2, and CP8, CP9, CP10, CP11, CP12 and CP13 of the Brighton & Hove City Plan Part One.

27. Notwithstanding any details shown on the approved plans, no phase of the development hereby permitted shall be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, for that phase of the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of that phase of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

28. Notwithstanding any details shown on the approved plans, prior to first occupation of the first non-residential (use Class E) unit in the south podium, details of end-of-trip facilities, comprising lockers, changing facilities and showers for the employees of the workspaces (non-residential uses) of the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the workspace of the development and shall thereafter be always retained for use by employees.

Reason: To encourage travel by means other than private motor vehicles and to comply with policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

29. Prior to first occupation of a phase of the development hereby permitted, full details of electric vehicle charging points (EVCPs) for that phase shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the that phase of development hereby permitted and shall

thereafter be retained for use at all times. A minimum of 50% of the parking spaces in each phase shall have full EVCP. The remaining parking spaces shall have passive provision.

Reason: To encourage travel by more sustainable means and seek measures which reduce fuel use and greenhouse gas emissions, to improve air quality in the city and to comply with policies SA6, CP8, CP9 of the Brighton & Hove City Plan Part 1 and DM20 and DM40 of Brighton & Hove City Plan Part 2.

30. Prior to the first occupation of each phase of the development hereby approved a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include:

- Details of the use of ANPR cameras or other alternative appropriate measures to mitigate issues/indiscriminate loading/idling.
- Details of the online booking system to be implemented for commercial uses / non-residential uses.
- Details of the prior approval process for vehicular access via the Green Link and the Circus access for delivery vehicles
- Details and on-site management personal (i.e., concierge and traffic marshal)
- Details of communal post-rooms (if applicable)

All deliveries and servicing in that phase shall thereafter be carried out in accordance with the approved plan.

Reason: To ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policy DM36 of the Brighton & Hove City Plan Part Two.

31. Prior to first occupation of any relevant phase of the development hereby approved, full details of the photovoltaic array referred to in the Energy Statement (by Hodkinson, Rev2, November 2023) including number, siting and plans / drawings for that phase shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic array shall then be installed in accordance with the approved details prior to first occupation and shall be retained thereafter.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance and to comply with policies CP8 and CP12 of the Brighton & Hove City Plan Part One and DM44 of Brighton & Hove City Plan Part Two.

32. No phase of the development hereby permitted shall be first occupied or brought into use until written evidence, such as Secure By Design certification for that phase has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the scheme has incorporated crime prevention measures. The development shall then be implemented in accordance with the approved details.

Reason: In the interests of crime prevention, to comply with policies CP12 and CP13 and DA2 and SA6 of the Brighton & Hove City Plan Part One.

33. No phase of the development hereby permitted shall be occupied until:
- i) details of external lighting, which shall include details of: levels of luminance, hours of use, predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors, hours of operation, a lighting design strategy for biodiversity, measures to ensure the protection of the International Dark Skies Reserve and details of maintenance have been submitted to and approved in writing by the Local Planning Authority.
 - ii) the predicted illuminance levels have been tested by a competent person to ensure that the illuminance levels agreed in part 1 are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part i).

The external lighting for each phase shall be installed, operated and maintained in accordance with the approved details and thereafter retained.

Reason: To safeguard the amenities of future occupiers, the occupiers of adjoining properties, to protect light sensitive wildlife and protect the International Dark Skies Reserve and to comply with policies CP10 and SA5 of the Brighton and Hove City Plan Part 1 and DM20, DM37 and DM40 of Brighton & Hove City Plan Part 2.

34. Prior to occupation of any phase of the development hereby permitted, the wind mitigation scheme, outlined in the approved Pedestrian Microclimate CFD Study, (by Windtech, Ref: WF247-07F02 - REV2, November 2023) and the additional mitigation measures specified for Block H, shall be implemented in full within each phase. The wind mitigation measures shall be retained in situ thereafter. Any trees or plants necessary for the wind mitigation, that die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the safety and amenity of future occupiers and comply with policy QD27 of the Brighton and Hove Local Plan.

35. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of each relevant phase of development. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The

plans shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features.

36. No phase of the development hereby permitted shall be occupied or brought into use until a Verification Report by a competent person has been submitted to, and approved in writing by the local planning authority. The Report shall confirm that the Remediation Strategy for that phase, as set out in the Remediation Options Appraisal and Strategy (Atkins ref. 5204803 RS, December 2023) has been fully implemented in accordance with the agreed details (unless varied with the written agreement of the local planning authority in advance of implementation).

Unless otherwise agreed in writing by the local planning authority the Verification Report shall comprise:

- a) drawings (if relevant) and photographs of the remediation works in progress;
- b) results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- c) certificates demonstrating that imported and/or material left in situ is suitable for use in accordance with the Remedial Target Values (RTV's) set out within the approved Remediation Strategy.
- d) details confirming the requirement and appropriate selection of gas/vapour membranes, based on location, have been installed to all buildings in the implemented scheme.

Reason: To safeguard the health of local residents and future residents or occupiers of the site and to ensure that the site does not pose any risk to the water environment and to comply with policies DM40, DM41 and DM42 of City Plan Part 2 and in accordance with paragraph 180 of the NPPF.

37. No development above ground floor slab level of any phase of the development hereby permitted shall take place until final designs of the roof systems (including for blue and brown roofs) for that phase have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, drainage details, the seed mix, and a maintenance and irrigation programme. The roofs shall then be constructed in accordance with the approved details and retained as such thereafter.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with Policies DM37, DM42 and DM43 of Brighton & Hove City Plan Part 2, Policy CP10 and CP11 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

38. Prior to first occupation of any phase containing a plant room with an electrical substation below or behind a separating wall adjacent to a residential demise, an acoustic report assessing the impact of the electrical substation will be required and shall be submitted to and approved in writing by the Local Planning Authority. Specifically, the report shall assess the issue of noise and vibration from the substation to ensure that the low frequency noise emitted from the substation does not exceed the “Low Frequency Criterion Curve” for the 10-160Hz third octave bands inside any nearby residential accommodation as described in the DEFRA funded University of Salford Manchester Guidance document entitled “Procedure for the Assessment of Low Frequency Noise Complaints, NANR45-Rev1-December 2011”. Any required mitigation measures shall be implemented prior to first occupation of that phase of development. Thereafter, the electricity substation(s) or other energy infrastructure shall be maintained so that it complies with the levels and any mitigation measured specified in the approved acoustic report.
Reason: To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
39. Prior to first occupation of any non-residential unit hereby permitted within use class E(b) a scheme for the control of fumes, smells and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details prior to first occupation that phase of the development, and shall thereafter be retained as such.
Reason: To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
40. Prior to first occupation of any commercial unit which would include a fitness, gym, sport or health club use a separate acoustic report shall be carried out and submitted to and approved by the Local Planning Authority. The assessment shall make specific reference to both airborne and impact noise, and vibration as described in ProPG (Gym Acoustics Guidance-GAG dated March 2023). Specific attention shall be made to the criteria stated within Table 2 and the accompanying notes within the ProPG (GAG) dated March 2023. The report shall include reference to baseline acoustic testing between the premises/property and inform detailed acoustic design works for the fit out of each of the units. Any required mitigation measures shall we implement prior to occupation. Operation of the use shall be carried out in strict accordance with the approved details which shall thereafter be maintained.
Reason: To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
41. All separating walls and floors between residential units and commercial floorspace, plant rooms, recycling and refuse stores and vehicle and cycle parking areas shall be designed to achieve a minimum sound insulation value of 5dB better than that required by Building Regulations Approved Document E (ADE) for airborne and impact noise. For the avoidance of doubt, this will be a minimum requirement of at least 50dB DnTw +Ctr to be achieved. Written details of the scheme, including calculations/specification of how this standard

will be achieved for each phase, shall be submitted to and agreed by the Local Planning Authority prior to first occupation of the relevant phase of the development.

Reason: To safeguard the amenities of the future occupiers and to comply with policies DM20 of the Brighton & Hove City Plan Part Two.

42. Prior to first occupation of a relevant phase of development, a validation survey for internal sound pressure levels shall be undertaken within a number of pre-selected residential properties in that phase to ensure that Table 4 values in BS8233:2014 have been achieved, namely continuous sound pressure levels of 35dB LAeq, 16 hour and 30dB LAeq, 8 hour for the daytime (07:00-23:00 hours) and night time (23:00-07:00 hours) periods respectively. The internal validation testing shall also assess ProPG2017 requirements for bedrooms of no more than 10 LAFmax events per night exceeding 45dB LAFMax. The testing shall be carried out with relevant mitigation measures in place, ie windows closed and any relevant ventilation strategy in use and operational at representative levels. Where Table 4 values (BS8233:2014) and overnight LAFMax events (ProPG2017) are exceeded, a mitigation strategy shall be presented to ensure the required levels can be met. The results of the validation assessment shall be submitted in writing and approved by the local planning authority prior to first occupation.

Reason: To safeguard the amenities of future occupiers, to protect local commercial occupiers (agent of change) and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.

43. Within three months of the date of first occupation of any phase of the development hereby permitted a Residential Travel Plan and Workplace Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall cover a minimum 5-year period and once approved, shall thereafter be fully implemented in accordance with the approved details.

The Plans shall include as a minimum:

- objectives, targets, actions, and measures/incentives to promote sustainable transport modes, reducing single occupancy trips by motor vehicles and reducing trips by delivery and servicing vehicles,
- Annual monitoring of trips rates including delivery and servicing movements,
- Monitor occupant awareness of travel plan objectives, targets, actions, and measures/incentives,
- Measures and incentives to support the delivery of Travel Plan objectives and targets, and shall include:
 - Provision to first residential occupiers 2 years of free or subsidised tickets/memberships for each of the following local public and shared transport services:
 - Local buses and/or train service tickets;
 - Bike Share membership and use; and
 - Car Club membership
 - Car club monitoring
 - Residential travel pack

- Workplace travel pack
- Establishment of a Bicycle User Group

Reason: to ensure the development maintains a sustainable transport and travel strategy and to comply with policies SA6, CP7, CP9, CP12, CP13 and CP15 of the City Plan Part One and policy DM33 and DM35 of the City Plan Part Two.

44. Within three months of first completion of any phase of the development hereby permitted, a Marketing Strategy for the commercial units shall be submitted to and agreed in writing by the Local Planning Authority. The Marketing Strategy shall include as a minimum,
- i) Details of the proposed sales particulars, including information such as site location, size of units, site description, specifications and costs, including services and any other charges.
 - ii) Details of when and for how long active marketing will commence and end.
 - iii) Details of the channels of marketing to be used.
 - iv) Details of the commercial agents to be used and any draft letter of instruction,
 - v) Details of how marketing will target local, regional and national occupiers,
 - vi) Evidence that marketing rentals reflect current market trends.

The marketing of the commercial units shall be carried out for each phase in accordance with the agreed Marketing Strategy.

Reason: to ensure adequate marketing of the commercial units for E(g) floorspace in the interests of safeguarding the supply of E(g) floorspace in the city given the identified shortage, to comply with policies CP3, DA2 of the Brighton & Hove City Plan Part One and Policy DM11 of Brighton & Hove City Plan Part Two.

Post occupation:

45. Within 6 months of first occupation of each non-residential (use class E) unit in each relevant phase, a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that a minimum BREEAM New Construction rating of 'Excellent' has been achieved shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.

Compliance Conditions

46. The dwelling(s) hereby approved shall be implemented in strict accordance with the internal layouts detailed on the approved floorplans received on 1 December 2023 unless otherwise agreed in writing by the Local Planning Authority. The internal layouts shall be retained as first implemented thereafter.

Reason: To ensure an acceptable standard of accommodation for future occupiers is provided and maintained thereafter and to comply with policy DM1 of the Brighton and Hove City Plan Part Two.

47. A minimum of 2,000sqm of the commercial floorspace hereby permitted, including all of the floorspace within the four units within the area annotated as 'The Yard' shall be used solely as office, research and development or light industrial space (Use Class E(g) (i), (ii) and (iii)) only and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no change of use shall occur without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the supply of office floorspace in the city given the identified shortage, to comply with policies CP2 and CP3 DA2 of Brighton & Hove City Plan Part One.
48. A minimum of 5% of the total housing provision hereby permitted shall be built as wheelchair user dwellings in compliance with Building Regulations Optional Requirement M4(3)(2a) (wheelchair user dwellings – 'adaptable') prior to first occupation and shall be retained as such thereafter.
All other dwelling(s) hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to provide an overall mix of units, to comply with policy DM1 of Brighton & Hove City Plan Part 2 and CP19 of the Brighton and Hove City Plan Part 1.
49. The development hereby approved shall achieve a minimum Energy Performance Certificate (EPC) rating 'B' for new build residential and non-residential development.
Reason: To improve the energy cost efficiency of existing and new development and help reduce energy costs to comply with policy DM44 of the Brighton & Hove City Plan Part Two.
50. None of the residential units hereby approved shall be occupied until each relevant residential unit built has achieved as a minimum, a water efficiency standard of not more than 110 litres per person per day maximum indoor water consumption.
Reason: To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the Brighton & Hove City Plan Part One.

51. The provision of heating and hot water to the development shall comply with the approach set out in the Energy Statement (by Hodkinson, Rev2, November 2023) unless another renewable form of heating infrastructure is agreed in writing by the Local Planning Authority.
Reason: To ensure that the development is sustainable, makes efficient use of energy, to ensure suitable air quality and to comply with policy CP8 of the Brighton & Hove City Plan Part One and policy DM44 of the Brighton & Hove City Plan Part Two.
52. The commercial uses (Class E) hereby permitted shall not be in use except between the hours of 07.00 and 22.30 Monday to Saturday, and 08.00 to 22.00 on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
53. No servicing (i.e. deliveries to or from the commercial premises) shall occur except between the hours of 07.00 and 21.00 Monday to Saturday, and 09.00 to 17.00 on Sundays, Bank or Public Holidays.
Reason: To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
54. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS4142:2014-A1:2019 (or the relevant updated Standard). For the avoidance of doubt, this relates to all plant on the site, whether roof top Air Source Heat Pumps or plant associated with the class E ground floor uses.
Reason: To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2
55. No installation of electronic communications apparatus as provided for within Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) shall be carried out without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority considers that further development could cause detriment to the character of the area and for this reason would wish to control any future development to comply with policies CP12 and CP15 of the Brighton & Hove City Plan Part 1 and policies DM18, DM25 and DM29 of Brighton & Hove City Plan Part 2.
56. No cables, wires, aerials, pipework meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown

on the approved drawings, without the prior consent in writing of the Local Planning Authority.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies DM26 and DM27 of Brighton & Hove City Plan Part 2 and CP12 and CP15 of the Brighton & Hove City Plan Part One.

57. If during construction, contamination not previously identified is found to be present at the site that requires a change to the approved Remediation Strategy, as set out in the Remediation Options Appraisal and Strategy (Atkins ref. 5204803 RS, December 2023) then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out within that area of the site until a Method Statement identifying and assessing the risk and proposing remediation measures, together with a programme for such works, is submitted to and approved in writing by the Local Planning Authority for approval in writing. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of local residents and future residents or occupiers of the site and to ensure that the site does not pose any risk to the water environment and to comply with policies DM40, DM41 and DM42 of City Plan Part 2 and in accordance with paragraph 180 of the NPPF.

58. Prior to removal/demolition of the flint wall running along the eastern side of Boundary Road a detailed photographic recording of the wall shall be made and these records shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the historic boundary wall and to comply with policy DM28 of Brighton & Hove City Plan Part 2 and CP15 of the Brighton & Hove City Plan Part One.

Informatives.

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. Crime prevention measures could be evidenced by a Secure By Design Developers Award Certificate or equivalent.
3. The water efficiency standard required is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg

washing machine; or (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

4. The applicant is advised that the details of external lighting required by the condition above should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution (2011)' or similar guidance recognised by the council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please contact the council's Pollution Team for further details. Their address is Environmental Health & Licensing, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP (telephone 01273 294490 email: ehlpollution@brighton-hove.gov.uk website: www.brighton-hove.gov.uk).
5. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting wild birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
6. The applicant is advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk
7. Planning permission is no defence against a statutory noise nuisance investigation. The council is required to investigate under the provisions of the Environmental Protection Act 1990 to determine whether or not a statutory nuisance is occurring and if any action is appropriate.
8. The applicant should also note that any grant of planning permission does not confer override the need to obtain any licenses under the Licensing Act 2003 or the Regulation (EC) No. 852/2004 on the Hygiene of Foodstuffs, Article 6(2). Note that where there is a difference between the operating hours allowed for licensable activities and the hours granted under planning permission the shorter of the two periods will apply.
9. The applicant is advised to consult with the sewerage undertaker to agree a drainage strategy including the proposed means of foul water disposal and an implementation timetable. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk
10. Where asbestos is found/suspected on site, it will fall under the Control of Asbestos Regulations 2012, overseen by the Health and Safety Executive. Further information can be found here: [HSE: Asbestos - health and safety in the workplace](#).

11. The applicant shall endeavour to ensure that regular HGV's serving the construction of the site meet as a minimum, the euro-VI D emissions standard, endeavour to meet best available techniques (BAT) for emission standards at the time of operation for non-road mobile machinery for example: bulldozers, dumpers, and cranes and that static diesel generators or plant are avoided during construction as far as is practicable.
12. The applicant is advised that the highway works to be included in the Section 278 Agreement will require technical approval. The technical approval process will include a Stage 1 and 2 Road Safety Audit. A Road Safety Audit (Stage 1/2) would need to be carried out for the proposed changes to Boundary Road in accordance with the requirements in DMRB GG 119 for developer/third-party led schemes, with BHCC as LHA in the role of Overseeing Organisation. The RSA brief should be submitted to s278@brighton-hove.gov.uk prior to commencement. We must approve the Audit Team and Audit Brief in advance.
13. The applicant is advised that work must not commence on the public highway until a Section 278 Agreement has been completed and a start date has been agreed with Streetworks following technical approval of the detailed design by the City Council. Both the detailed scheme and any associated Traffic Regulation Orders (TROs) must be approved to the satisfaction of the Highway Authority prior to the commencement of any development. Thereafter, before first occupation of the proposed development, a Section 278 (of the Highways Act 1980) Agreement to implement the scheme shall be agreed with the Highway Authority and the scheme completed to its satisfaction. The approved scheme shall be implemented prior to first occupation of the development.
14. The applicant is advised that the Residential and Workplace Travel Plans shall be broadly aligned with the details as set out within the final Transport and Highways Comments provided on this application, dated 10 April 2014.

