

## REPORT UPDATE

**Application no:** AL/34/22/PL  
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**Location:** Land At Wings Nursery Lidsey Road Woodgate  
**Description:** Variation of conditions imposed under AL/20/21/PL relating to conditions 2-plans condition (three bungalows changed to two storey houses, other elevation detail changes and highway drawings amended to reflect layout changes) and 5-hours of demolition/construction (to make it so that the additional bat working restrictions do not apply outside of bat hibernation times).

### UPDATE DETAILS

Reason for Update/Changes:

Natural England responded to the Councils Appropriate Assessment (AA) on 05/07 stating:

"Natural England has previously commented on this proposal and made comments to the authority in our letter dated 31 August 2021, reference number: 364297. The advice provided in our previous response applies equally to this amendment, although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us."

Therefore, they have agreed the AA and there is no conflict with policy ANDP policy EH12 2019.

Members should also note that the amended Construction Management Plan as referred to in the report has now been approved through AL/77/22/DOC. The wording of condition 12 has been tweaked to better reflect this.

Through discussions with the applicant, it has also been necessary to amend (a) condition 1 (to reflect the date the permission was actually issued - 01/03/22 not 28/02/22), (b) condition 15 to clarify commencement (replacing 'Prior to the commencement of development' with 'Prior to the commencement of any construction work (or such other date in development as may be agreed in writing with the Local Planning Authority)', and (c) condition 28 (by changing the word 'development' to 'dwelling' to ensure that the permission can be delivered/occupations can occur in a phased manner).

Officers Comment:

The changes to the four conditions as detailed above are shown below and members are requested to agree the recommendation in accordance with these revisions:

update(ODB 57)

(1) The development hereby permitted shall be begun before the expiration of 3 years from the date of the planning permission under AL/20/21/PL (01/03/22).

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

(12) The development shall proceed in full accordance with the Construction & Environmental Management Plan approved through application ref AL/23/22/DOC and as amended by the approval of AL/77/22/DOC. This plan shall be in force throughout the construction process.

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area, biodiversity (particularly bats) and in the interests of highway safety in accordance with policies D DM1, ENV DM5, QE SP1, QE DM1, QE DM2, QE DM3, W DM1 and T SP1 of the Arun Local Plan and the NPPF.

(15) Prior to the commencement of any construction work (or such other date in development as may be agreed in writing with the Local Planning Authority), a verification report demonstrating completion of the works set out in the approved remediation strategy ("Remedial Strategy & Verification Plan - Land off Lidsey Road, Woodgate, Chichester, West Sussex, PO20 3SU", ref GE19228-RSVPv2AP210930, September 2021, as agreed through AL/30/22/DOC) and the effectiveness of that remediation shall be 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. The report shall also include 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 report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

(28) No dwelling, hereby approved, shall be occupied until provision for parking and turning of cars associated with that dwelling has been provided in accordance with the approved plans. Provision should thereafter be maintained solely for the purpose of the parking and turning of vehicles clear of the highway.

Reason: To ensure that adequate provision for the parking and turning of vehicles is provided for the development in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.