



Public Document Pack

Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Tel: (01903 737500)
Fax: (01903) 730442
DX: 57406 Littlehampton
Minicom: 01903 732765

e-mail: committees@arun.gov.uk

Committee Manager Andrew Bishop (Ext. 37984)

28 June 2023

SPECIAL PLANNING COMMITTEE

A Special meeting of the Planning Committee will be held in the **Council Chamber at the Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** on **Wednesday 28 June 2023 at 2.00 pm** and you are requested to attend.

Members: Councillors Hamilton (Chair), Wallsgrove (Vice-Chair), Bower, Kelly, Long, Lury, McDougall, Northeast, Partridge, Patel and Woodman

PLEASE NOTE: Where public meetings are being held at the Arun Civic Centre, to best manage safe space available, members of the public are encouraged to watch the meeting online via the Council's [Committee pages](#).

1. Where a member of the public wishes to attend the meeting or has registered a request to take part in Public Speaking physically at the Planning Committee, they are to enter the Civic Centre via the front reception and then make their way up to the Council Chamber on the second floor and take a seat in the Public Gallery [the Blue Room].
2. We request members of the public do not attend any face to face meeting if they have Covid-19 symptoms

For further information on the items to be discussed, please contact Committees@arun.gov.uk.

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE

PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION ON LINE AT www.arun.gov.uk/planning

AGENDA

OFFICER REPORT UPDATES

Report and condition updates for Agenda Items 6, 7 and 8, including the Heads of Terms for Agenda Item 8.

Note: Reports are attached for all Members of the Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.

Note: Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note: Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [PART 8 - CP - Section 5 Filming Photographic Protocol](#)

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REPORT UPDATE

Application no: BE/150/22/OUT
Page no: 1
Location: Land at Oldlands Farm Newlands Road Bognor Regis
Description: Outline planning application with all matters reserved except access for the demolition of existing derelict building and erection of up to 18,580sqm of new industrial/warehouse (Use Class B2/B8) and ancillary offices (Use Class E (g)) floorspace.

UPDATE DETAILS

Reason for Update/Changes:

1. The applicant has requested that the wording of Condition 1 has been amended to allow for the submission of the Reserved Matters details in a phased approach. This amendment would not have any impact other than allowing more flexibility with how the site is developed and brought forward in the future and is considered acceptable.
2. Condition 3 has been updated to include reference to the access drawings which had been missed in error.
3. Whilst, the application is in outline with all matters reserved save for access, indicative elevational details have been submitted as part of the application. The applicant has requested that a condition is imposed on the permission establishing the maximum ridge height for the proposed development. In this case the indicative details provided show a building which measures 15.74m above ground level or 19.232m Above Ordnance Datum (AOD). In this case a building of the scale proposed is in keeping with the scale of neighbouring development and would not adversely impacts upon the established character of the site or the wider locality.

With scale being a reserved matter it will be necessary to consider this in more details once a Reserved Matters application has been submitted. However, based on the information available a maximum ridge height as indicatively shown (subject to design and layout) could likely be accommodated on the site. Therefore, a condition has been added to the recommendation which establishes that any reserved matters proposals must not exceed 15.74m above ground level or 19.232m AOD. See Condition 27 on the updated recommendation sheet.

Officers Comment:

No further comments in relation to the above matters.

Note: The changes to conditions are shown on the attached on the amended replacement recommendation sheet.

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Outline planning application with all matters reserved except access for the demolition of existing derelict building and erection of up to 18,580sqm of new industrial/warehouse (Use Class B2/B8) and ancillary offices (Use Class E (g)) floorspace.

Land at Oldlands Farm
Newlands Road
Bognor Regis

RECOMMENDATION

AC - Approve Conditionally

- 1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended). An application for the approval of the Local Planning Authority for the following reserved matters (or part thereof under each phase or sub-phase of the development) must be made not later than the expiration of 3 years beginning with the date of this permission:-
 - (a) Layout;
 - (b) Scale;
 - (c) Appearance; and
 - (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan - Drawing no. S0001 Rev P02
 - Proposed Access - Highgate Transportation - Drawing ref. 22105/01
 - Proposed Access Visibility Splays - Highgate Transportation - Drawing ref. 22105/02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls (and roofs) of the proposed building(s) have been submitted to and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.
- 5 Prior to the occupation of any part of the approved building, the applicant or developer shall provide electric vehicle charge points to serve the parking spaces associated with the approved building in accordance with the council's standards as set out in its Parking Standards SPD. This requires EV charging points in 30% of parking spaces (rising to 50% from 2028 & 100% from 2033) with electric ducting provided to all other spaces to make provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

- 6 At least 10% of the predicted energy demands of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 7 The landscaping and layout particulars to be submitted in accordance with Condition 1 for any phase or sub phase shall include:

- i. Details of all existing trees and hedgerows on the land, showing which are to be retained and which removed;
- ii. Details of the positions, height, design, materials and type of boundary treatment to be provided;
- iii. Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree;
- vi. The detailed landscape design for the development including the layout and design of the public realm within the development.

No tree or hedge shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the Local Planning Authority.

Reason: In the interests of amenity and of the environment of the development in accordance with Policies D DM1, HWB SP1, OSR DM1 and ENV DM4 of the Arun Local Plan 2011-2031.

- 8 No development including site access, demolition or associated construction activities shall commence unless and until all the existing trees/bushes/hedges to be retained on the site have been protected in accordance with a scheme submitted to the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy ENV DM4 of the Arun Local Plan. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 9 Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A Site Investigation Scheme, based on the Ashdown Site Investigation Ground Contamination Risk Assessment Report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2. Based on the Site Investigation Scheme and the detailed risk assessment, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in the options appraisal and remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 - 2031.

- 10 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.
- If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.
- Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 - 2031.
- 11 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- a) An indicative programme for carrying out of the works;
 - b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
 - c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, the careful selection of plant and machinery and use of noise mitigation barrier(s), to be in accordance with BS5228:2009;
 - d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
 - e) The parking of vehicles of site operatives and visitors;
 - f) Loading and unloading of plant and materials, including permitted times for deliveries;
 - g) Storage of plant and materials used in constructing the development;
 - h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - i) A dust management plan produced in accordance with the Institute of Air Quality Management (IAQM) 'Assessment of dust from demolition and construction (2014);
 - j) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.
- Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 - 2031.
- 12 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.
- Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031.
- 13 No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.
- The lighting scheme shall be designed to meet biodiversity requirements and shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.
- Reason: To protect the appearance of the area and local residents from light pollution and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species).
- 14 No development shall take place until the applicant has secured the implementation of a programmed of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- Reason: The site has the potential to contain unknown remains of archaeological importance which must be investigated in accordance with Policy HER DM6 of the Arun Local Plan 2011-2031.

15 a) Prior to the commencement of development details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.

b) Prior to the first occupation of any units forming part of the proposed development the applicant will at their own expense install the required fire hydrants in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of fire fighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan 2011-2031 and in accordance with The Fire & Rescue Service Act 2004.

16 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (The Ecology Co-op, November 2022) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out in accordance with the approved details.

Reason: To conserve and enhance protected and priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species).

17 Prior to the commencement of development a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Reptile Method Statement;
- d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- e) The location and timing of sensitive works to avoid harm to biodiversity features;
- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- i) Use of protective fences, exclusion barriers and warning signs; and
- j) Containment, control and removal of any invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented through the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species).

18 Prior to the commencement of development above slab level a Biodiversity Enhancement Strategy for protected and priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) Detailed designs or produce descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance protected and priority species & habitats and allow the Local Planning Authority to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

- 19 Prior to beneficial use of the development a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority.

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;
- 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 the implementation of the plan; and
- 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 plan 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: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species).

- 20 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any statutory instrument revoking and re-enacting that Order with or without modification the buildings hereby approved under this planning permission shall not be used for any use whose primary purpose is the receiving; processing and distribution/delivery of parcels and packages ("a parcel distribution use") within Use Class B8 (Storage and Distribution) unless the applicant has submitted an application to the local planning authority (in consultation with the local highway authority and National Highways) an addendum transport assessment which has been prepared in accordance with DfT Circular 01/2022 which assesses the impact of a parcel distribution use. The addendum transport assessment shall identify any necessary mitigation scheme(s) and this approved mitigation shall be implemented in full and open to all traffic prior to first use of the unit(s) as a parcel distribution unit.

Reason: To ensure that the A27 trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety.

- 21 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and the building shall not be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the foul water drainage system prior to commencing any building works.

- 22 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Design considerations must take full account of the 'Supplementary Requirements for Surface Water Drainage Proposals' produced by Arun District Council, and are an overriding factor in terms of requirements. Winter groundwater monitoring to establish highest annual ground water levels and winter percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 23 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 24 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 25 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained and in accordance with policies W SP1,W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 26 Prior to the commencement of the development, the applicant shall submit an Employment and Skill Plan for the development to be approved in writing by the Local Planning Authority. Following approval, the developer will implement and promote the objectives of the plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is necessary for this to be a pre-commencement condition as it relates to the construction phase of development.

- 27 The details of the buildings submitted in relation to scale and design pursuant to Condition 1 shall ensure that the development not exceed a maximum height of 15.74m above ground level or 19.232m Above Ordnance Datum (AOD).

Reason: In interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

- 28 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage designs must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%).

Freeboard is to be provided between the base of the infiltration structure and the highest recorded groundwater level identified in that location. Ideally this should be 1 metre where possible, as stated in the CIRIA Suds Manual guidance. However, on the coastal plain in particular, where geology dictates and where shallow perched/tidally influenced water tables are often present, this is unlikely to be achievable irrespective of this, infiltration must still be fully considered. Therefore, to maximise this potential and avoid utilising other less favourable methods of surface water disposal, the bases of

infiltration structures are permitted to be immediately above the peak recorded groundwater levels where it is deemed necessary.

In areas where an aquifer is to be protected (subject to guidance from the Environment Agency) then a minimum 1 metre freeboard must be provided.

Suitable water treatment is required upstream to the point of discharge in all circumstances to minimise any groundwater pollution risk or detriment to the drainage network.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extent of ground water monitoring with the council's engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application. Reference should also be made to the 'West Sussex LLFA Policy for the Management of Surface Water'.

- 29 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens. The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.
- 30 INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.
- 31 INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>, this clearly sets out our requirements for discharging this condition
- 32 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 33 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 34 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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REPORT UPDATE

Application no: BN/147/22/RES
Page no: 23
Location: Land South of Barnham Station Barnham
Description: Approval of reserved matters following BN/149/22/PL for 200 dwellings respect of appearance, landscaping, layout and scale. This application may affect the setting of listed buildings, may affect the Church Lane, Barnham Conservation Area & affects a Public Right of Way.

UPDATE DETAILS

On the 27th June the applicant submitted amended plans to address the affordable housing concerns raised within the report. These amendments resulted in a large number of plans being submitted. Officers did not seek these amendments because the issue of affordable housing and its location is not a issues for a reserved matters submission and will be agreed through the discharge of the planning obligation. However, the applicant chose to submit amended drawings through this application to try and address the concerns.

Given the exceptionally late submission of these plans it has not been possible for officers to undertake a detailed review of these amendments or undertake any necessary consultation. Therefore, it is recommended that Members defer the application to allow for these plans to be appropriately assessed and any consultation carried out. A further detailed update report to be prepared for Members for the next available Planning Committee.

If the Committee disagree with this recommendation and would like to consider the proposals today, I can go through the officer presentation but I do not intend doing that until requested to do so because of the change in recommendation.

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REPORT UPDATE

Application no: LU/299/22/PL
Page no: 51
Location: Land North of Littlehampton Academy Littlehampton
Description: Development of the site to provide 101 dwellings and associated car parking, cycle parking and landscaping. This application is in CIL Zone 4 and is zero rated.

UPDATE DETAILS

UPDATED CONSULTATION COMMENTS

Littlehampton Town Council - Have provided an updated representation which has withdrawn their objection to the proposed development.

WSCC Lead Local Flood Authority (LLFA) - Have raised an objection to the application (despite having previously raised no objection) as the submitted FRA & Drainage Strategy are not in accordance with the NPPF, Planning Practice Guidance (Aug 2022 version) or with local policies. The LLFA have requested that further information is necessary to be able to lift the objection. The following information was identified as outstanding:

- Groundwater monitoring and infiltration testing is required in the location on infiltration features.
- Water quality benefits required.
- Appropriate water quality assessment is absent / incorrect.
- ½ drain times need to be submitted and show that they are within 24 hours (or within 48 hours for features that are lined e.g. lined tanks or lined basins).
- Appropriate easements (to the adopting authority standards) to SuDS features should be shown on a drawing, this will be a minimum 3m
- Manhole schedule required
- Results for 1 in 30 year plus climate change allowance storm
- Calculations for the swales, permeable paving and other SuDS features which have not been included.
- The use of oversized pipes should be reconsidered.
- Consideration of exceedance from the soakaway
- It looks like houses are located in low spot with low surface water flood risk
- Reconsideration of an appropriate safety factor based on SuDS Manual
- Further design of soakaway required in accordance with Arun Supplementary Requirement for Surface Water Drainage Proposals.

NHS - Maintained objection should no financial contribution be secured. An updated S106 contribution was also provided based on updated housing numbers. This figure has been included in the attached Heads of Terms (HOT).

Southern Water - No objection, and provided standard advice. Advised that the pumping station would be required to be a minimum of 100sqm in area and 15m from the nearest residential property.

update(ODB 57)

WSSC Highways - No objection. The access and visibility splays can be achieved, and will be subject to a S278 agreement with WSSC. The Design Audit has been reviewed and no concerns were raised with the layout. The capacity of the junction has been modelled and the development would not result in a severe residual impact on the highway network. They confirm that without the by-pass infrastructure, as specified in the Neighbourhood Plan policy, there is sufficient capacity and the reasons for this policy are met.

WSSC Education - Maintaining their objection on the basis of a lack of secondary schools, and identified a need to provide school transport contributions. This is included within the Heads of Terms (HOT).

WSSC Strategic Planning - Provided details of the contributions for Primary, Secondary, 6th Form, Libraries, Fire & Rescue. These are included within the HOT.

Greenspace Officer - No objection to the revised play provision.

Environmental Health - Subject to conditions to require further noise assessments and any mitigation required, EH have raised no objections. The previous conditions raised are still relevant.

UPDATE ON PUBLIC REPRESENTATIONS

For clarity, the publicity period is open until 29th June, and this is reflected within the recommendation. There are now a total of 83 public representations, with 78 objections registered.

The new public representations can be summarised as follows:

- No details of the pumping station have been provided, and the impacts of noise, odour and access on neighbouring residents
- Will the landowner confirm that the green space to be left between the development site and Oakcroft Gardens will be officially confirmed as publicly accessible green open space?
- Concern over who would be responsible for the management and maintenance of the remaining open space
- How will the open space be protected from future development?
- Will the HEELA allocation on the precise footprint of the green open space as a developable site be withdrawn.
- The trees opposite Oakcroft Gardens backing onto Daisyfields will not be part of the greenspace and will have their roots covered by a road surface
- The application should be removed from the planning committee agenda because there is an objection from the Lead Local Flood Authority (LLFA)
- The fencing is inappropriate adjacent to Cornfield School

REPORT UPDATE

Greenspace

update(ODB 57)

With regards to the greenspace and meadow, any future changes to develop this area will require a planning permission, which will be assessed against policy and the requirements of public open space serving existing development. The Section 106 Agreement will secure the public access arrangements, including management and maintenance schedule. With reference to the sites inclusion within the HELAA, this does not allocate a site for housing, and only identifies high level parameters for potential housing sites.

Drainage and Flooding

In November 2022, comments from the Lead Local Flood Authority (LLFA) raised no objections to the development on flooding or surface water drainage grounds. As of 19th June 2023, the LPA received an objection from the LLFA, and requested further information, including groundwater monitoring and infiltration testing.

Arun District Drainage Engineers have advised that whilst further winter infiltration testing is required in line with the standards of the Local Planning Authority (LPA), and as requested by the LLFA, the initial bore hole testing does indicate that infiltration is viable. Therefore, a policy compliant drainage scheme is likely to be achievable and therefore are comfortable securing this via condition.

It is not unusual for this information to be provided at condition stage, and is an approach which the LPA have taken in other applications. Therefore, whilst an objection from the LLFA for more information to ascertain whether the layout is impacted by a policy complaint drainage scheme has been received, ADC engineers have confirmed we can secure details at condition stage. The conditions will be secured prior to commencement of the development, and if it is found that the drainage layout cannot be accommodated for any reason, the applicants will be required to submit amendments to the layout.

Therefore, the imposition of conditions will ensure that the scheme adheres to policies W SP1, W DM2, W DM3 of the ALP, and the NPPF.

Pumping Station

The proposed pumping station has been indicatively shown on the plans to the east of the site and located within the meadow area. The provision of a pumping station will support any future designs for foul sewerage, and the full details are secured by condition. Southern Water have not objected to the use of a pumping station, however, they have highlighted the standard requirements for pumping stations to be at least 15m away from habitable rooms. This is achieved within the current layout, however the exact appearance of the pumping station will be conditioned and a condition to restrict noise and vibrations will also be imposed to ensure no unacceptable adverse impacts upon the amenity of nearby residents.

Access to the pumping station will be required for maintenance, and this will be provided separately to the pedestrian link through the meadow. The provision of access for maintenance has not been objected to by WSCC Highways and would not adversely impact the safety or capacity of the existing network.

update(ODB 57)

Therefore, this would accord with policies QE SP1, QE DM1, T SP1, and D DM1 of the Arun Local Plan.

Play Space

The play space provision has been amended to provide a LEAP instead of the previously proposed enhanced LEAP on the central village green. With this change, the play provision meets the minimum buffer distances required within the Open Space Supplementary Planning Document (SPD) which aims to reduce conflict with play users and residents. The play equipment retains inclusive play items, and provides a good mix of play experiences. The Locally Equipped Area of Play (LEAP) is also supplemented with a Local Area of Play (LAP) on the central village green, which is considered suitably located and acceptable. The requirement of a Neighbourhood Equipped Area of Play (NEAP) is therefore being sought as an off-site financial contribution and on this basis the play provision is in accordance with policy HWB SP1 of the Arun Local Plan and Open Space SPD.

UPDATE TO CONDITIONS

There are a number of amendments to the conditions, which are summarised as follows:

- Amendment to plan revision numbers to co-ordinate the widening of the meadow path to 3m path through the meadow and to reflect play space provision changes.
- Addition of Environmental Health conditions relating to noise assessments (and subsequent mitigation), contamination.
- Further clarity within the CEMP condition to add a Dust Mitigation Strategy as part of the Air Quality requirements

HEADS OF TERMS

The application update is accompanied by a Heads of Terms setting out the infrastructure contributions required by the site. Financial contributions are secured for a range of infrastructure such as NHS, schools, fitness contributions, NEAP play and allotments.

A query has been raised by the developer as to the financial contributions towards Primary Education, Sixth Form Education, Libraries, Fire and Rescue as well as the NEAP contribution. This issue relates to conflicting figures between consultee response and online contribution calculators. In total financial contributions of £1,990,146 are to be secured, with the online calculators suggesting figured which are £56,728 less.

Officers have sought to resolve this ahead of the committee meeting, but this has not been possible. Therefore, the recommendation has been updated to secure delegated authority to allow for the financial contributions to be confirmed with West Sussex County Council and Arun District Council.

UPDATED RECOMMENDATION: "To grant delegated authority to the Group Head of Planning, in consultation with the Chair or Vice-Chair of Planning Committee, to approve the planning

application with conditions subject to:

- 1) End of the consultation period (29th June 2023), with any new matters being discussed
- 2) Confirmation of contribution towards Primary Education, Sixth Form Education, Libraries, Fire and Rescue and NEAP provision.
- 3) Completion of a signed section 106 agreement"

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Development of the site to provide 101 dwellings and associated car parking, cycle parking and landscaping. This application is in CIL Zone 4 and is zero rated.

Land North of Littlehampton Academy
Littlehampton

RECOMMENDATION

ACS - App Cond sub to S106

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans and documents:

21080_03-07-100_Proposed Site Plan - P3
 21080_03-07-101_Proposed Ground Floor Plan - P3
 21080_03-07-102_Proposed First Floor Plan - P3
 21080_03-07-105_Proposed Roof Plan - P3
 21080_03-07-200_Proposed Elevations and Sections 01 - P4
 21080_03-07-201_Proposed Elevations and Sections 02 - P3
 21080_03-07-202_Proposed Elevations and Sections 03 - P2
 21080_03-07-010_Building Heights - P3
 21080_03-07-012_Indicative Tenure Plan - P3
 21080_03-07-021_Refuse Storage and Collection - P3
 21080_03-07-022_Site Vehicle Parking - P3
 21080_03-07-400 - 2B3P Semi-detached House - P2
 21080_03-07-411 - 2B4P Terrace House 01 - P3
 21080_03-07-412 - 2B4P Terrace House 02 - P3
 21080_03-07-413 - 2B4P Semi-detached House (eaves fronted) - P2
 21080_03-07-420 - 3B4P+ Semi-detached House - P2
 21080_03-07-421 - 3B4P+ Semi-detached House - P2
 21080_03-07-432 - 3B5P+ Semi-detached House - P2
 21080_03-07-436 - 3B5P+ Detached House - P2
 21080_03-07-440 - 4B6P Semi-detached House - P2
 21080_03-07-443 - 3B5P Detached Dormer House- P2
 230517-21080_03_Unit Types Schedule Revision P5
 1444-HED-DR-03-001 P03 Illustrative Masterplan
 1444-HED-DR-03-002 P04 Hard Landscape Plan
 1444-HED-DR-03-003 P03 Soft Landscape Plan
 1444-HED-DR-03-006 P05 Trees to be Retained
 1444-HED-DR-03-007 P05 Trees to be Removed
 1444-HED-DR-03-008 P05 Trees to be Proposed
 1444-HED-DR-03-009 P05 Boundary and Fencing Plan
 1444-HED-DR-03-010 P02 Planting Schedule
 1444-HED-DR-03-013 P01 Play Area Detail Plan
 1444-HED-DR-03-014 P04 Play and Open Space Plan
 Air Quality Assessment Update

Reason: For the avoidance of doubt and in the interests of proper planning, in accordance with the aims of the Local Plan.

- 3 Prior to the commencement of the development, including any works of demolition, a Construction and Environmental Management Plan (including for biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented and

adhered to throughout the entire construction period. The submission shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- An indicative programme for carrying out of the works
- the method of access and routing of vehicles during construction,
- the details of any compound locations,
- the parking of vehicles by site operatives and visitors,
- loading and unloading of plant and materials, including permitted times for deliveries;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted
- Dust Management Plan in accordance with the IAQM document 'Guidance on the assessment of dust from demolition and construction, 2014'
- details of public engagement both prior to and during construction works.
- biodiversity CEMP measures (risk assessment, biodiversity protection zones, sensitive security/work lighting, covering foundation gaps overnight for badger protection, sensitive working practices, location and staging/timing of certain works to avoid adverse impacts on species, ecological clerk of works).
- details of pollution control measures for bats (In accordance with the recommendations within the Bat Survey Report 2022, RP-HED-062, Page 15).

Reason: In the interests of highway safety, and the protection of amenity of local residents in accordance with policy T SP1 and QE SP1 of the Arun Local Plan. And in the interest of the protection of protected and priority species so that development is in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and S40 of the NERC Act 2006 (Priority habitats & species). This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

- 4 Prior to the commencement of development, other than works of site survey and investigation, full details of the proposed surface water drainage scheme are required to be submitted and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Design considerations must take full account of the 'Supplementary Requirements for Surface Water Drainage Proposals' produced by Arun District Council, and are an overriding factor in terms of requirements. Winter groundwater monitoring to establish highest annual ground water levels and winter percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 Prior to the commencement of development details shall be submitted and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 6 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with polices W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed for the approved drainage scheme.

- 7 Prior to the commencement of development a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan. This is required to be a pre-commencement condition because site levels must be set prior to works commencing on the new houses as otherwise it would be difficult and expensive to rectify any changes.

- 8 Prior to the commencement of the development, a programme of archaeological work in accordance with a written scheme of investigation shall be submitted and approved by the Local Planning Authority. The programme shall be implemented in strict accordance with the approved details.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because the approved measures may need to be built into the fabric of the buildings.

- 9 Prior to the commencement of development an Arboricultural Method Statement and Tree Protection Plan shall be submitted and approved in writing by the Local Planning Authority and the development shall be undertaken in strict accordance with the details so approved. Where felled trees are proposed, a soft fell approach should be taken.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission

- 10 Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A 'Preliminary Risk Assessment' which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and 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 to all receptors that may be affected, including those off site.

3. Based on the 'Site Investigation Scheme' and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A 'Verification Report' providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved and, prior to commencement of any construction work (or such other date or stage 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 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 protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 - 2031

- 11 Prior to the commencement of development an Ecological Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include but is not limited to the following:

- Details and locations of integrated bat bricks / tiles and non integrated bat boxes on retained trees.
- Inclusion and details of fencing gaps to allow movement of small mammals across the site, such as hedgehogs.
- Details and locations of hibernacula, log piles and hedgehog nesting boxes.
- Details and locations of integrated and non integrated bird boxes, including barn owl boxes.
- Details of the timings of the delivery of the measures above.

The approved plan shall be implemented in full in accordance with the agreed timings and details.

Reason: To ensure the retention, protection and enhancement of biodiversity in accordance with Policies ENV SP1, ENV DM1 and ENV DM5 of the Arun Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition to prevent harm to potentially vulnerable species.

- 12 Prior to the commencement of the development, a Reptile Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The mitigation will be carried out in full accordance with the details approved.

Reason: To conserve and enhance protected and priority species to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and S40 of the NERC Act 2006 (Priority habitats & Species). This is required to be a pre-commencement condition due to reptiles needing to be moved prior to construction activities.

- 13 Prior to the commencement of the development, the applicant shall submit an Employment and Skill Plan for the development to be approved in writing by the Local Planning Authority. Following approval, the developer will implement and promote the objectives of the plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is necessary for this to be a pre-commencement condition as it relates to the construction phase of development.

- 14 No development above damp proof course (DPC) level shall take place until full details are submitted to and approved in writing by the Local Planning Authority demonstrating how the development will ensure a minimum of 10% of the predicted energy supply uses either decentralised/renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF), unless otherwise agreed in writing by the Local Planning Authority. Any physical features that are required as part of the works must be installed in full accordance with the approved details and installed prior to the occupation of each dwelling and shall be maintained in good working condition.

Reason: In order to secure a reduction in on site energy use through renewable energy provision in accordance with the NPPF, and Policy ECC SP2 of the Arun Local Plan.

- 15 Notwithstanding the details within the approved plans, no development above damp proof course (DPC) level shall take place unless full details of the pumping stations and substations on the site have been submitted and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 16 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes for walls, roofs, and boundary materials have been submitted to and approved by the Local Planning Authority. The details to be approved will include samples of materials of the materials to be used for external walls and roofs of the proposed buildings. The development shall be implemented as approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 17 Immediately following implementation of the approved surface water drainage system and prior to

occupation of any part of the development, the developer/applicant shall be submit for approval by the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose.

Reason: To ensure that the proposed development is satisfactorily drained and in accordance with policies W SP1,W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 18 Prior to the occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the 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. 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, and for the reporting of this to the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 19 Prior to the occupation of any part of the development, full details of all external lighting (including streetlighting and security lighting) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) and minimise potential impacts to any bats using trees and hedgerows (in accordance with the BCT/ILP Guidance Note Bats and artificial lighting in the UK 08.18) by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. Details should include, but are not limited to:

- a) The location of lighting columns.
- b) Mitigation measures to minimise potential glare and spillage.
- c) Appearance (including height), and design of lighting columns.
- d) Timings of lighting including timers/PIR sensors to reduce unnecessary lighting.
- e) Details of lighting luminaires (lux levels), lighting temperature (K).
- f) A horizontal illuminance contour plan.
- g) identification of important routes used by foraging bats and demonstration of limiting lighting on these areas.

The lighting approved shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime, road safety and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2, T SP1 & ENV DM5 of the Arun Local Plan.

- 20 Prior to occupation of any of the approved dwellings, an Electric Vehicle Charging Strategy shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended) and shall be implemented and operational prior to the occupation of each dwelling. The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

- 21 Prior to the commencement of the development, a further noise assessment shall be completed by a competent acoustician that takes account of recent changes to the local road network and a scheme for mitigation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the internal noise levels within the residential units will conform to the "Indoor ambient noise levels for dwellings" guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 and that the external noise levels within the curtilage of residential units will conform to the "Design criteria for external noise" upper guideline value of 55 dB LAeq,T as specified within section 7.7.3.2 of BS 8233:2014.

The scheme shall include details and locations of any acoustic wall and/or fencing designed to protect amenity spaces and also window specification and ventilation requirements in order to achieve a suitable acoustic environment with adequate natural ventilation. The assessment shall include all noise sources, including but not limited to noise generated by the local schools, any proposed air source heat pumps and mechanical ventilation plant. Any works which form part of the

scheme approved by the Authority shall be completed before any permitted dwelling is occupied, unless an alternative period is agreed in writing by the Authority.

Reason: In the interests of amenity in accordance with policy D DM1 and QE DM1 of the Arun Local Plan. This is required to be a pre-commencement condition due to the requirement for appropriate external and internal noise levels to be reached.

- 22 No development above damp proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Prior to the first occupation of any dwelling forming part of the proposed development, the developer shall at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved locations to BS:750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.

- 23 The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

- 24 Notwithstanding the provisions of Parts 1 & 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no dormer/roof extensions/alterations to the houses approved shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf. Reason: In the interests of visual amenity, and the particular characteristics of this development in accordance with policies D DM1, D SP1 of the Arun Local Plan.

- 25 No development (including demolition) shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

Reason: In the interests of neighbour amenity in accordance with QE DM 1.

- 26 All dwellings hereby permitted shall be built to the optional requirement M4(2) - Accessible and adaptable dwellings standard as defined within Part M of the Building Regulations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To deliver accessible homes in accordance with Policy D DM1.

- 27 Noise from the pumping station shall not exceed 45dB LAeq (15mins) with no tonal components evident at the boundary of the nearest noise sensitive property. When assessed by a competent acoustic engineer, the Vibration Dose Value (VDV) shall not exceed the applicable 'low probability of adverse comment' level for the test environment in question (i.e. residential buildings, offices, workshops) contained within BS 6472-1:2008 (Guide to evaluation of human exposure to vibration in buildings - Part 1: Vibration sources other than blasting) inside the nearest property. A test or prediction of the noise levels and a test or estimation of the expected vibration environment to demonstrate compliance with the levels shall be undertaken within 3 months of the development being implemented.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 - 2031

- 28 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless

otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted 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.

- 29 No individual dwelling hereby approved shall be occupied until the optional requirement for restricted water consumption in Part G of the Building Regulations as demonstrated through the water calculator has been complied with for that dwelling.

Reason: To improve the sustainability of the dwellings in accordance with policy W DM1 of the Arun Local Plan.

- 30 No individual dwelling shall be first occupied until the car parking spaces and access to and from the dwelling have been constructed and are operational, in accordance with the approved plans and details. The parking spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use of dwellings in accordance with policy T SP1 of the Arun Local Plan.

- 31 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement.

- 32 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 33 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

- 34 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage designs must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%).

Freeboard is to be provided between the base of the infiltration structure and the highest recorded groundwater level identified in that location. Ideally this should be 1 metre where possible, as stated in the CIRIA Suds Manual guidance. However, on the coastal plain in particular, where geology dictates and where shallow perched/tidally influenced water tables are often present, this is unlikely to be achievable irrespective of this, infiltration must still be fully considered. Therefore, to maximise this potential and avoid utilising other less favourable methods of surface water disposal, the bases of infiltration structures are permitted to be immediately above the peak recorded groundwater levels where it is deemed necessary.

In areas where an aquifer is to be protected (subject to guidance from the Environment Agency) then a minimum 1 metre freeboard must be provided.

Suitable water treatment is required upstream to the point of discharge in all circumstances to minimise any groundwater pollution risk or detriment to the drainage network.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extend of ground water monitoring with the council's engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application. Reference should also be made to the 'West Sussex LLFA Policy for the Management of Surface Water'.

- 35 **INFORMATIVE:** Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

- 36 **INFORMATIVE:** If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

HEADS OF TERMS: LLU/299/22/PL at North of Littlehampton Academy

In order to reflect the changing costs, for all WSCC contributions, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2024. This may include revised occupancy rates if payment is made after new data is available from the 2021 Census.

Financial obligation(s) summary or change	Trigger Point	Amount (index linked)	Due to (ADC, WSCC, NHS, other)	Destination/project
Education: Primary	To pay the County Council the Education Contribution prior to the following occupations: First Occupation = 50% contribution 50% occupation = 50% contribution	£404,121.00	WSCC	Contribution towards additional facilities at River Beach Primary Academy.
Education: Secondary	To pay the County Council the Education Contribution prior to the following occupations: First Occupation = 50% contribution 50% occupation = 50% contribution	£636,343.00	WSCC	Contribution towards provision of additional secondary school spaces in a new secondary school serving Arun or as part of expansion/upgrade to existing secondary schools located in the vicinity of the Development.
Education: Transport Contribution	To pay the County Council the transport contribution Education Contribution upon completion of the development for up to 16 years or until a new secondary school for the district is operational.	£338,832.00	WSCC	Contribution towards the temporary costs to transport children to the nearest available or West Sussex catchment school with space.

Education: Sixth Form	To pay the County Council the Education Contribution prior to the following occupations: First Occupation = 50% contribution 50% occupation = 50% contribution	£101,885.00	WSCC	Contribution towards the new Arun secondary school sixth form, or, if the new secondary school sixth form is not forthcoming, the contribution shall be spent on Littlehampton Academy Sixth Form.
Allotments	To pay the District Council the Allotment Contribution prior to the following occupations: 50% Occupation = 100% contribution	£1,944.00	ADC	Contribution for off-site allotment provision within the District
Public Art	To pay the District Council the Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution	£30,300.00	ADC	Contribution towards public art in Littlehampton.
Sports Facility provision - Health and Fitness Equipment	To pay the District Council the Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution	£12,432.00	ADC	Contribution towards fitness equipment associated with a new community sports hub at Palmer Road Recreation Ground, Angmering.
Sports Facility provision - Sports Hall	To pay the District Council the Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution	£44,704.00	ADC	Contribution towards sports hall provision at a new community sports hub at Palmer Road Recreation Ground, Angmering.
Sports Facility provision -	To pay the District Council the Contribution prior to the following occupations:	£49,513.00	ADC	Contribution towards swimming pool facilities at a new

Swimming Pools	50% Occupation = 50% contribution 100% Occupation = 50% contribution			leisure centre in the west of the district.
Playing Pitches – Football	To pay the District Council the Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution	£11,700.00 (Improvements) £49,260 (Maintenance) £31,112.00 (Ancillary Facilities)	ADC	Contribution towards grass football pitch improvements at Southfields Recreation Ground plus 20 year maintenance and improvements to ancillary facilities at the same site
Playing Pitches – Rugby	To pay the District Council the Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution	£4,085 (Improvements) £17,480 (maintenance) £9,637 (Ancillary Facilities)	ADC	Contribution towards improvements to the grass playing surface of the rugby pitches associated with current provision at Kingley Gate plus 20 year maintenance and improvements to ancillary facilities at the same site
Playing Pitches – Cricket	To pay the District Council the Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution	£9,451 (Improvements) £38,180 (maintenance) £10,811 (Ancillary Facilities)	ADC	Contribution for cricket pitch improvements associated with existing provision in Littlehampton plus 20 years maintenance cost and improvements to ancillary facilities at the same site.
Playing Pitches – 3G	To pay the District Council the Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution	£9,029 (Improvements) £6,080 (maintenance) £3,171 (ancillary facilities)	ADC	Contribution towards surfacing 3G pitches at Palmer Road Recreation Ground plus 20 years maintenance costs and ancillary facilities at the same site.
Libraries	To pay the County Council the Libraries Contribution prior to the following occupations:	£36,252.00	WSCC	Contribution towards additional facilities at Littlehampton Library

	First Occupation = 100% contribution			
Fire & Rescue	To pay the County Council the Fire & Rescue Contribution prior to the following occupations: First Occupation = 100% contribution Owners must not occupy more than the above % of units until the developer has paid the Fire & Rescue contribution.	£3,609.00	WSCC	Re-development or re-location of fire stations and associated vehicles and equipment in West Sussex Fire Rescue Services Southern Area serving Littlehampton
Police Services:	To pay the District Council the Police Services Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution Owners must not occupy more than the above % of units until the developer has paid the Police Services contribution.	Awaiting consultation response.		
NHS / Healthcare	To pay the District Council the Healthcare Contribution prior to the following occupations: 50% Occupation = 50% contribution 100% Occupation = 50% contribution Owners must not occupy more than the above % of the units until the developer has paid ADC the Transport Contribution.	£164,506.00	ADC	Contribution towards the cost of improving services, facilities and capacity within existing or new GP practices within Littlehampton.
NEAP offsite contribution	To pay the District Council the Contribution prior to the following occupations:	£100,000.00 (enhancement) £30,000.00 (maintenance)	ADC	Contributions towards enhancements of existing NEAPs in Littlehampton and

	50% Occupation = 50% contribution 100% Occupation = 50% contribution			maintenance of local NEAPs
ADC Monitoring	Prior to commencement.	TBC	ADC	Contribution towards the costs of monitoring the delivery of these planning obligations and reporting under The Community Infrastructure Levy Regulations, 2010.
WSCC S106 Monitoring	On completion of Deed	£1,440.00	WSCC	Contribution towards the costs of monitoring the delivery of the planning obligations and reporting under The Community Infrastructure Levy Regulations, 2010.

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Affordable Housing	Prior to Commencement	ADC	Planning Officer
Open Space Management and Maintenance Plan (to include LEMP)	Prior to Occupation	ADC	Planning Officer
Employment and Skills Plan	Prior to Commencement	ADC	Planning Officer

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