

Application for Outline Consent

DECISION NOTICE

Application Ref: AB/135/20/OUT

1 To Addressee

Savills
Mocatta House
Trafalgar Place
Brighton
BN1 4DU

2 Site Address

Land at Ford Road
Arundel

3 Description of Development

Outline application with some matters reserved (except for access) for the development of 90 dwellings & associated amenity land, including land allocated for a community building & for a community allotment. This application affects the setting of listed buildings & affects the character & appearance of the Arundel Conservation Area.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the following conditions and Section 106 Agreement.

- 1 Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and be approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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 layout, scale and appearance details referred to in Condition 1 shall include details of any temporary sales areas that may be required during the construction and marketing of the development. Such details shall include any temporary buildings or temporary changes to buildings and any temporary change to the development layout. The approved details shall be for a temporary period only ending on or before the date that the last dwelling on the site has been sold. The buildings or area shall be returned to their approved permanent appearance within 3 months of the date of the last building sold.

Reason: In the interest of visual and residential amenity and the character/appearance of the surrounding area in accordance with Policies D DM1 and QE SP1 of the Arun Local Plan.

- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

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).

- 4 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of the 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).

- 5 The planning permission relates to the following approved plans:

- Drawing No. 28826 - Site Location Plan, dated 01.03.21.
- Drawing No. PP001 - Parameter Plans (Developable Area; Movement; and Green and Blue Infrastructure).
- Drawing No. 173483-002 Rev. E - Site Access Arrangement.
- Drawing No. 173483-006 - Off-Site Pedestrian Connection Improvements.

Reason: For the avoidance of doubt and the interests of amenity and the environment in accordance with Policy D DM1 of the Arun Local Plan.

- 6 The development shall be in substantial accordance with the Illustrative Masterplan (Drawing No. IM003 Rev. F) and Drawing No. PP001 - Parameter Plans (Developable Area; Movement; and Green and Blue Infrastructure).

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan.

- 7 None of the dwellings shall be occupied unless and until full details of the public open space (POS) management arrangements have been submitted to and been approved in writing by the Local Planning Authority. The POS shall thereafter be implemented in accordance with the provision as agreed by application AB/135/20/OUT (or any subsequent variation application) prior to occupation of the 45th dwelling and permanently retained thereafter. The approved management details shall then be permanently adhered to.

Reason: To ensure that the POS is provided and that a management regime is established in accordance with Policy OSR DM1 of the Arun Local Plan and Policy AR2 of the Arundel Neighbourhood Plan.

- 8 All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

- 9 Prior to the commencement, including any works of demolition, a Construction Management Plan shall be submitted and be approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out of the works;
- b) The anticipated number, frequency, routing and types of vehicles used during construction;
- c) The method of access and routing of vehicles during construction;
- d) Full details of the construction compound;
- e) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- f) Measures to minimise the noise (including vibration) generated by the construction process to include proposed method of piling for foundations, the careful selection of plant and machinery & use of noise mitigation barrier(s). A Noise and Vibration Management Plan shall be submitted in writing for approval by the Local Planning Authority. The scheme shall include appropriate Construction Noise Limits in accordance with the ABC method described in BS 5228 Part 1 - Noise Control on Construction and Open sites;
- g) Measures to control the emission of dust and dirt during construction
- h) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- i) The parking of vehicles of site operatives and visitors;
- j) Loading and unloading of plant and materials, including permitted times for deliveries;
- k) Storage of plant and materials used in constructing the development;
- l) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- m) The provision of effective wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- n) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: For the avoidance of doubt and to protect the amenity of local residents, the environment and highway safety, in accordance with Policy D DM1 and Policy QE DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to mitigate the impact of construction works and deliveries on neighbouring residential amenity.

- 10 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 DM1 of the Arun Local Plan.

- 11 No part of the development shall be first occupied until such time as the vehicular accesses serving the development have been constructed in accordance with the approved details shown on approved Drawing No. 173483-002 Rev E - Site Access Arrangement.

Reason: In the interests of road safety, in accordance with Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 12 No part of the development shall be first occupied until footway improvements are provided as shown on approved Drawing No. 173483-006 - Off-Site Pedestrian Connection Improvements.

Reason: To provide alternative travel options to the use of the car in accordance with Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 13 Notwithstanding the illustrative masterplan layout submitted, details of a cycle path leading south west from the development site onto Priory Lane and a cycle path leading north onto High Ridge Close shall be included within the final layout submitted at the reserved matters stage and these

cycle paths shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 14 No part of the development shall be first occupied until a detailed Travel Plan has been submitted to and been approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department of Transport or as advised by the Local Highway Authority.

Reason: To encourage and promote sustainable transport, in accordance with Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 15 No dwelling shall be occupied until space for the parking of cars, motorcycles and bicycles in relation to that dwelling have been laid out. These areas shall thereafter not be used for any purpose other than the parking of cars, motorcycles and cycles.

Reason: In the interests of road safety and to accord with approved policy in accordance with Policy D DM1 of the Arun Local Plan.

- 16 Garages provided on the site shall measure a minimum of 6 metres x 3 metres internally.

Reason: To ensure that adequate and satisfactory provision is made for the parking (and garaging) of vehicles clear of all highways in accordance with Policy D DM1 of the Arun Local Plan.

- 17 No development shall take place until a scheme for the location and installation of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall be in accordance with the Guidance Note: The Provision of Fire Hydrants and an Adequate Water Supply for Fire Fighting as published by West Sussex Fire and Rescue Services (as amended from time to time). No dwelling hereby permitted shall be occupied until the fire hydrant(s) required to serve that dwelling have been installed in accordance with the approved scheme.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that all dwellings on the site are within 150 metres of a fire hydrant for the supply of water for firefighting.

- 18 At least 10% of the energy supply 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 National Planning Policy Framework). Prior to the commencement of development 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. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

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. It is considered necessary for this to be a pre-commencement condition because of the need to ensure the provision of decentralised and renewable or low carbon energy sources on the site.

- 19 Prior to the commencement of development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The

strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To safeguard the amenities of residents in accordance with Policy D DM1 and Policy TEL SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 20 Prior to the commencement of construction works a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for approval in writing and will be based on the recommendations within the submitted Ecological Assessment Report, the Outline Reptile Mitigation Strategy, the Landscape and Ecological Management Plan and the Further Response to Ecology Consultation document. All the approved details shall then be implemented in full and in accordance with the agreed timings and details.

The LEMP shall include but not be restricted to:

- timings for clearance of trees or scrub to avoid impacts on breeding birds;
- a 30 metre buffer is in place around the badger sett;
- the planting of 370 metres of new hedgerows;
- the creation of seasonal water bodies;
- the installation of bat boxes, bird boxes; barn owl boxes and dormouse boxes;
- the planting of species rich grassland and scrub areas;
- the retention of hedgerows and trees;
- any trees removed should be replaced at a ratio of 2:1;
- log piles provided onsite and wildflower grassland created.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.

- 21 If the reserved matters are submitted 12 months or later from the date of this decision notice, prior to the submission of the reserved matters application(s), the ditches within the site boundary should be re-surveyed for the presence of water voles; and the site should be re-surveyed for badgers. The surveys and mitigation measures should be submitted for approval in writing by the Local Planning Authority. The mitigation measures shall be implemented in full and permanently retained and thereafter maintained as fit for purpose.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat in line with Policy ENV DM3, Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 22 Prior to the commencement of development, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the dwellings shall be submitted to the Local Planning Authority for approval in writing and thereafter be implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, 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 District Council Electric Vehicle Infrastructure Study (November 2017), the ADC Parking Standards SPD (January 2020) and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because of the need to ensure that the infrastructure for electric vehicle charging measures are in place in the residential development.

- 23 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. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the 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 Policy D DM1 and Policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 24 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. No construction is permitted, which will restrict current and future land owners 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.

- 25 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.

- 26 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 in accordance with Policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 27 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and be approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the dwellings are occupied.

- 28 Prior to the commencement of development, details of the measures to protect the public sewers/water supply mains should be submitted for approval in writing by the Local Planning Authority, in consultation with Southern Water).

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the dwellings are occupied.

- 29 The occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development. Such sewerage capacity works shall not be unreasonably withheld or delayed by Southern Water.

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the dwellings are occupied.

- 30 All finished floor levels (FFLs) are set 300mm above the tidal 200 year + Climate Change predicted flood (FFLs would need to be at 4.368m AOD or above - there would need to be limited groundworks required to create a development plateau in the central part of the site). The sleeping accommodation would need to be set above the 1000 year Climate Change tidal level of 4.081m AOD. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 31 Prior to the commencement of development, details of the proposed outdoor lighting (Details of zone E1 lighting luminaires lux levels) should be submitted for approval in writing by the Local Planning Authority and thereafter be implemented in accordance with the approved details and the lighting shall thereafter be permanently retained and maintained in good working condition.

Reason: To protect the appearance of the area, the environment and wildlife and local residents from light pollution in accordance with Policy QE DM2 of the Arun Local Plan.

- 32 No development above damp proof course (DPC) level shall take place until details of the noise mitigation measures to protect future residents from transportation noise shall be submitted to the Local Planning Authority for approval in writing. The submitted details shall include details of the sound insulation to be provided to achieve the acoustic conditions set out in Table 4 of BS8233. This should be supported by test data of proposed glazing systems and details of the acoustic design and performance of the alternative ventilation system. The approved details shall be implemented prior to the first occupation of any dwelling and shall thereafter be maintained.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 33 Noise from the pumping station, which is to be installed in the eastern area of the site, 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 Arun Local Plan.

- 34 Prior to commencement of the development hereby approved, 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; 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.
- 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 above 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 Arun Local Plan.

- 35 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 Arun Local Plan.

- 36 Prior to the commencement of development, an updated Arboricultural Method Statement (AMS) and an updated Tree Protection Plan shall be submitted for approval in writing by the Local Planning Authority, to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground in accordance with the detailed layout plans. The approved mitigation measures shall be implemented and shall thereafter be maintained.

Reason: In the interests of amenity and of the environment of the development in accordance with Policy D DM1 and Policy ENV DM4 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure that trees are protected during the construction of the development hereby approved.

- 37 Fifty per cent (50%) of all dwellings (i.e. 45 dwellings) shall be designed and constructed to M4(2) standard and in addition four (4) dwellings shall be designed and constructed to M4(3) wheelchair accessible standard in accordance with 'Access to and use of buildings: Approved Document M'.

Reason: To ensure that dwellings are adaptable and meet the diverse needs of future occupiers in accordance with Policy D DM1 of the Arun Local Plan and Paragraph 61 of the National Planning Policy Framework.

- 38 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and been approved in writing by the Local Planning Authority.

Reason: The site is of archaeological significance in accordance with Policy D DM1 and Policy HER DM6 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because archaeology can only be investigated before construction commences.

- 39 Prior to the export of any material from site, or within six months of commencement of development, whichever is earlier, a soils management plan shall be submitted for approval in writing by the Local Planning Authority. The soil handling measures and the proposed use of on-site soils as set out in the approved soils management plan will be implemented on site to ensure that the soil resource is preserved.

Reason: To enable the Local Planning Authority to control the development and protect the soil

resources on the site, in accordance with Policy SO DM1 of the Local Plan.

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

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

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 percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

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.

INFORMATIVE:

- The 500mm diameter water trunk main and 150mm water distribution main requires a clearance of 6 metres on either side of the water mains to protect it from construction works and to allow for future maintenance access.
- No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water mains without consent from Southern Water.
- The 300mm diameter gravity surface water sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers, rising mains or water mains.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

INFORMATIVE: Southern Water has restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing plant. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" and the Sewerage Sector Guidance with regards to any landscaping proposals and Southern Water's

restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

INFORMATIVE: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

INFORMATIVE: The applicant is advised to enter into a Section 59 Agreement under the Highways Act, 1980, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The applicant is advised to contact the Highway Officer (Tel. 01243 642105) in order to commence this process.

INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Local Highway Authority, to cover the off-site highway works. the applicant is requested to contact the Implementation Team Leader (Tel. 01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE: The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

INFORMATIVE: Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Decision Issued: **26th November 2021**

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

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

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

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

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

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

PURCHASE NOTICES

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

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on

highway land).