

REPORT UPDATE

Application No: AL/58/15/OUT

Reason for the Update / Changes

Reason for Update/Changes:

The following consultee responses have been received since the agenda was published:

Aldingbourne Parish Council - Object - The site is adjacent to a biodiversity corridor as identified in the Aldingbourne Parish Council emerging NDP. The proposal is contrary to policy EH5 and the Arun Local Plan GEN5.

Green Space - No objection. The provision of landscaping for the development must be conditioned.

We note there is a requirement for any scheme, in accordance with policy 'SITE6' to be of High Quality Design, the nature and usage of this development should not compromise this requirement. The emerging landscape design aims should be:

- To design and implement a scheme that reflects and incorporate elements of its surroundings and enhances the atmosphere of local distinctiveness.
- To create a visually pleasing and interesting landscape for owners, employees, and visitors to the development.
- To enhance the landscape quality of the site when viewed from the surrounding area.
- To provide a planting scheme that includes native species to blend in with the surrounding location, enhance biodiversity and create enhanced wildlife corridor opportunity.
- To provide a sense of flow and cohesion between the different elements of the landscape, buildings, open area and surrounding environment.

Tree protection fencing must be provided in accordance with the approved details. The oak trees along the northern boundary of the site must be protected.

Highways England - In this case, our interest is the A27 at Fontwell Roundabout. I confirm that following review of the additional information we offer no objection to the proposal and the application can now be formally considered by your planning committee.

Southern Water - No objection subject to a condition:

Development shall not commence until a drainage strategy detailing the proposed means of foul and surface water disposal and a implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority, in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Informative - A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW

Network Rail - No objection.

Informative - The developer must ensure that their proposal, both during construction and after completion of works on site, does not:

report

- Encroach onto Network Rail land
- Affect the safety, operation or integrity of the company's railway and its infrastructure
- Undermine its support zone
- Damage the company infrastructure
- Place additional load on cuttings
- Adversely affect any land or structure
- Over-sail or encroach upon the air-space of any Network Rail land
- Cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

Officers Comment:

The Aldingbourne Neighbourhood Plan has limited weight as a material consideration (see officer report). However, the application has been assessed against the impact on ecology and trees (policy EH5) and these are fully set out in the officer report. The application is not considered to unacceptably impact on ecological interests or trees, subject to conditions relating to biodiversity enhancement, landscaping, and tree protection. Policy GEN5 of the Local Plan refers to residential development, and is not applicable to this proposal.

Landscaping details would be required as part of the reserved matters submission.

An additional condition regarding tree protection measures is recommended:

"The existing trees/bushes/hedges shall be retained and protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority"

The concerns previously raised by Highways England in respect of the potential impact on the A27/Fontwell Roundabout have now been addressed. They are now satisfied that the proposal will not lead to significant additional traffic impacts on the A27.

Additional informatives requested by Southern Water and Network Rail have been added to the recommended list.

It has been noted that recommended conditions 19 and 23 relate to the same requirements. It is therefore recommended that condition 19 be deleted.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

Recommendation Report for Outline Consent

REF NO: AL/58/15/OUT

LOCATION: Oldlands Farm
Steyping Way
Bersted

PROPOSAL: Hybrid Application 1: Full planning application for earth works to facilitate flood compensation area
2: Outline application (all matters reserved) for up to 20,453 sq m of B2 General Industrial Floorspace together with B8 warehousing & distribution floorspace.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application is for two separate elements which are intrinsically linked. The proposal for B2 and B8 uses is submitted in outline form (all matters reserved) and includes the provision of up to 20,453m² of B2/B8 floorspace (Gross Internal Area). This site is located to the south of the Bognor Regis North Relief Road (BRNRR) which has recently been constructed, and is due to open in early 2016.

The outline application element is submitted with two potential development options:

- Option 1 - B2 only comprising 11no units with a total floor space of 17,453m² - submitted with illustrative masterplan.
- Option 2 - B2 and B8 uses comprising 13,506m² of B8 floor space and 6,947m² of B2 floor space resulting in a combined floor space of 20,453m² - submitted with illustrative masterplan.

Any B1 office space would be ancillary to the proposed primary B2 or B2/B8 uses and would largely depend on the requirements of any future occupier.

The full application element, to the north of the Bognor Regis North Relief Road, comprises engineering works to facilitate a flood compensation area. In its most basic form this part of the scheme constitutes a cut and fill exercise which would involve the excavation of approximately 46,000m³ of material, a large majority of which would be transposed to the proposed employment development platform

site to the south of the BRNRR in order raise the levels across the site. The excavated area is intended to act as a flood plain, but would otherwise be retained in agricultural use. The applicant has confirmed that the excavated soils would be stored on site and subsequently used to restore the site for continued use as agriculture.

SITE AREA

11.8ha (split between proposed flood compensation area - 5.76ha and proposed development platform - 6.04ha).

RESIDENTIAL DEVELOPMENT DENSITY

N/A

TOPOGRAPHY

The development site slopes gently from west to east. The newly constructed BRNRR sits adjacent to the site to the north on a raised level to both sites. The proposed flood compensation area lies approximately 2m higher than the site to the south of the relief road.

A number of drains cross the site where the levels drop to approximately 0.3m.

TREES

There are 4no mature oak trees within the development site. There is bramble and vegetation on the boundary of a ditch which runs through the site along with a number of smaller trees.

There are no notable trees or vegetation within the proposed flood compensation area. However, there are a number of trees on the eastern boundary where the land falls into a ditch.

BOUNDARY TREATMENT

The north and west of the proposed development site is currently contained by wire fences which border the BRNRR. Beyond this lies the boundary of the BRNRR, which is raised above the site. The slopes of the site would be subject to landscaping. Just beyond the eastern boundary lies a railway line which sits on a slightly higher level, this is bordered by a tree and scrub belt. The former LEC airfield lies further to the east and contains a number of rifes, comprising an area of biodiversity opportunity set on relatively flat land. The southern boundary of the site

follows the line of the recent Rolls Royce manufacturing development which includes a number of large, modern manufacturing buildings.

The proposed flood compensation area is bounded to the south by the BRNRR, the boundary of which will be complemented by landscaping works. To the east of the site lies a ditch which is bounded by willow, shrubs and vegetation. To the north the land opens out into relatively flat arable land. To the west lies agricultural land which sits immediately adjacent to the BRNRR.

SITE CHARACTERISTICS

The proposed development to the south of the BRNRR comprises Grade 3b agricultural land. The proposed flood compensation area to the north partly comprises Grade 2 agricultural land. Therefore, part of the development lies on Best and Most Versatile Land as identified in the NPPF. Both sites lie in open countryside and are greenfield.

CHARACTER OF LOCALITY

Whilst the site is rural, the area has been heavily influenced by major transport links and large scale commercial developments. The landscape character is predominantly low lying arable with limited tree cover. Land, particularly to the north and east, is open. The village of Shripney is located 500m to the northwest of the site and straddles the A29. There are small settlements further to the north. To the south and beyond the Rolls Royce development lies Southern Cross Industrial Estate which is indicative of a more urban context.

RELEVANT SITE HISTORY

BE/61/13/	HYBRID APPLICATION. 1: Full planning application for Access and road and Flood compensation area. 2: Outline application for 33116 sq m of mixed commercial and industrial uses, comprising A1, A3, A5, B1, B2 and B8, with associated works and landscaping.	ApproveConditionally 19-03-2014
BE/73/14/PL	Erection of 2 No. detached industrial/distribution units (B1(c)/B2/B8)	ApproveConditionally

including access & servicing arrangements,
car parking, landscaping & associated flood
compensation area. This application is a
departure from the development plan. This
application also lies within the parish of
Aldingbourne

28-08-2014

There is no relevant site history applicable to the application site but there are relevant planning applications relating to the surrounding land.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

Bersted Parish Council

Bognor Regis Town Council

Bognor Regis Town Council - No objection

Bersted PC do not object to the above application but have serious concerns about increased traffic flows and the rationalisation that bigger vehicles may reduce traffic is likely to cause other problems not least less employment which is one of the main desires of the ALP. B8 use is contrary to the BNDP of 5.3.3. objections.

Many of the statutory authorities are giving guidance on what is required to mitigate flood, traffic and sewage issues and these must be fully implemented into the application to ensure all reasonable measures are taken to ensure the impact is neutral on the local economy and population.

Policy EE3

5.3.3 General Industrial use (B2) and distribution and storage (B8) are considered inappropriate for the Parish due to the heavy goods traffic they can generate. The Parish is already blighted by large lorries and any increase in heavy goods traffic will have a detrimental effect on the Parish.

One representation has been received which can be summarised as follows:

- Whilst I am not opposed to the creation of additional employment opportunities which are much needed in the local area not this development per se, I am very concerned about the detrimental impact of this additional development upon local residents in both Bersted and Aldingbourne parishes and I feel that tight restrictions need to be put in place to mitigate these impacts. The land is a flood plain and, as a consequence, flat :- sound and light carries especially as there is a prevailing on-shore wind. Restrictions need to be placed on signage, lighting, operating hours and traffic movements. Landscaping needs to be quite dense to provide some sort of protection to the North. If development takes place, then building work should only be carried out during the normal working day unlike the 24 hour construction hours operated by the constructors of the relief road. Consideration needs to be given to access by bicycle, on foot and by public transport. Currently this area is difficult to access other than by car from the north.

Comments on Representations received:

CONSULTATIONS

Environmental Health
Health & Safety Executive
Highways England
Network Rail
WSCC Strategic Planning
Environment Agency
Natural England
Engineering Services Manager
Engineers (Fluvial Flooding)
Southern Water Planning
Economic Regeneration
Ecology Advisor
NHS Coastal West Sussex CCG
Surface Water Drainage Team
Chichester District Council
Ecology Advisor
Natural England
Highways England
Natural England
Parks and Landscapes

Consultations responses received:

Environment Agency - No objection. They are satisfied that the development is acceptable in principle, subject to conditions relating to the flood compensation area and other flood prevention measures.

WSCC Highway - No objection subject to conditions and a S106 Agreement:

West Sussex County Council (WSCC), in its capacity as the local highway authority (LHA), has been consulted on the proposed 'phase 2' of development at the Oldlands Farm site at Bersted. A previous response to the proposal has been provided on the 30th July 2015 which requested additional information.

Phase 1 consisted of circa 38,000m² of primarily B8 warehousing floor space for Rolls Royce which is currently under construction. The phase 2 site abuts part of the proposed Enterprise Bognor Regis (EBR) Local Development Order (LDO); WSCC has been consulted on the transport assessment that accompanies the draft order and which considers the cumulative impact of development at Oldlands Farm, Saltbox and Rowan Park. The LHA have been engaged by Arun throughout the scoping and production of the Transport Assessment associated with the LDO.

As part of the initial response the LHA reviewed the MJA Transport Assessment 15/0378/5130/WL. It appeared that this document was produced using information contained within the 'EBR Highway Infrastructure Viability Study - October 2014' (VS). Additional information was sought in respect of the trip rates used and a revised assessment of the A29/BRRR and A259/Rowan Way roundabout so that it accords with the LDO assessment scenarios. After consulting the LHA to set the scope of the assessment the Applicant has subsequently submitted addendum WL/15/0818/5130.

Summary

No objection is raised subject to a financial contribution of £50,000 towards junction mitigation at junctions affected by the development (as set out in the commentary below) and conditions in relation to a Construction Management Plan and Travel Plan.

Trip Generation

The Applicant has provided additional commentary and analysis of the selected trip rates, and an analysis of the LDO rates in comparison to those used for the Oldlands assessment. The key element is that the LDO provided rates only for B1 and B2 uses, whereas the proposed development comprises a mixture of B2 and B8 use. Whilst the B2 trip rate used for the LDO is higher than that used for Oldlands, it is evidenced that a B8 use will generate significantly fewer movements than any other B class use. To ensure that the assessment is robust, the Applicant has applied the B2 trip rate exclusively and made no adjustment for the anticipated B8 uses. Therefore, the LHA are satisfied that this provides robust trip rates for the capacity assessment.

Network Capacity Impact

The assessment scenarios used have been updated to reflect those set out in the LDO TA. This enables an assessment of the standalone impact of the development in addition to consented development and annual network growth, should the LDO not be successful, and the cumulative impact of development including the LDO, should the order be successfully made.

In reviewing the standalone impact it is evident that the proposed development will have a negligible impact on the operation of the local network. The National Planning Policy Framework (paragraph 32) indicates that development should only be resisted where the cumulative impact is severe. While the development does have a detrimental impact on the operation of the junction, the modelling demonstrates that it will continue to operate within theoretical operating capacity in a future year scenario, therefore the impact is not considered to be severe.

Whilst phase 1 of the Oldlands development has been included in the LDO TA, phase 2 has not been included and it is therefore necessary to consider the cumulative impact of the development in addition to the traffic generated by the LDO. This assessment was included in the original submission and the MJA addendum updates the modelling exercise undertaken to reflect the scenarios included in the final LDO TA for a horizon year of 2031.

A number of testing scenarios have been included in the assessment. It is evident that the proposed development will contribute to a cumulative impact on the operation of the existing A29/BRNRR and A29/Steining Way roundabouts when combined with traffic generated both by the LDO as well as other consented development. It is demonstrated that the junctions will operate in excess of theoretical capacity and, given the nature and importance of the road, this is considered to be a severe impact. However, the mitigation testing demonstrates that this severe impact can be mitigated by the introduction of the schemes, or similar works, proposed through the LDO TA. It would be appropriate for the proposed development to make a proportional contribution towards those works and that a contribution of £50,000 that can be used for the delivery of mitigation schemes at the aforementioned junctions, by either the County Council or a 3rd party with the permission of the County Council to work on the highway, would accord with CIL Reg 122 tests. This should be secured by means of a Section 106 Agreement.

Highways England - The Transport Assessment does not include any potential impacts on the A27 roundabout. The selection of sites making up the TRICs estimated trip generation may not

be sufficiently robust.

Since further information has been submitted by the applicant, final comments from Highways England will be reported to the committee.

Bognor Regis Regeneration Board - Application AL/58/15/OUT is the Phase 2 development of Oldlands Farm for an additional 220,000 sq.ft of mixed employment space. There are two options submitted:

Option 1 74,000 (B2) 145,000 (B8)
Option 2 188,000 (B2) 0 (B8)

The Regeneration Board has been supportive in the development of Oldlands Farm in the context of Enterprise Bognor Regis (EBR). The land designated for employment under the EBR umbrella is 69.4 ha. Oldlands Farm represents 23.8ha (34%). The Coast to Capital LEP Strategic Economic Plan (March 2014) identified 4,800 jobs and 140,500 square metres of employment space as a direct result of EBR.

The Enterprise Zone proposal for EBR produced for ADC in 2011 by Nathaniel Lichfield & Partners identified Oldlands Farm as an Advanced Manufacturing Park to capitalise and expand on existing strengths in manufacturing and engineering sectors. These sectors offer high value added employment opportunities, which would reduce out commuting by skilled personnel and offer opportunities to upskill the local workforce and increase average wages. It was estimated that the Advanced Manufacturing Park would generate 1,100 jobs.

A mix of B2/B8 premises affects both the number and the skill level of the jobs available.

ADC's draft Local Plan is structured around strengthening the economic base, providing local job opportunities by increasing, diversifying and improving the quality of employment.

Oldlands Farm is a key development towards this objective but there is a real risk it will develop into a 'Warehouse Park' than the original concept of an 'Advanced Manufacturing Park'. It can be assumed that B8 usage generates just over half of the jobs of B2.

The current level of development at Oldlands Farm is the Rolls-Royce Motors Technology and Logistics centre. This 350,000 sq.ft B8 warehouse and storage distribution facility consisting of two buildings will initially generate approximately 200 jobs. Although a very welcome investment and addition to the available jobs in Bognor Regis they do not reflect the volume or the high value added positions that were proposed for Oldlands Farm and that Bognor Regis needs. The opportunity arises through the new planning application to ensure this position is addressed and not further aggravated by granting outline planning application for Option 2 (not Option 1) which would be compatible with the Local Plan employment objectives.

Coastal West Sussex - The application by Hanbury Properties for an additional 220,000 sq ft of mixed employment space is welcomed as it would help deliver jobs. The nature of those jobs is important and a report produced by Nathaniel Lichfield & Partners to support the Enterprise Zone proposal in 2011 identified Oldlands Farm as an Advanced Manufacturing Park which could deliver substantial jobs and which would capitalise and expand on existing employment strengths in manufacturing and engineering sectors.

Therefore it would be Option 2 for General Industrial B2 usage to encourage and maximise the higher value job opportunities for the area that Arun District Council would be encouraged to support.

Economic Development - Wish to encourage the maximum employment density option on such a highly desirable development site. B2 uses would provide the greatest number of high value jobs and contribute towards creating more balanced and sustainable economic growth in the District. We would therefore wish to support Option 2 - 188,000 sq. ft. of B2 General Industrial floor space. The recent development of the Rolls-Royce Motor Cars premises on the adjoining site of nearly 350,000 sq. ft. of B8 use, although welcome, has generated 200 jobs. It is therefore crucially important that any future development makes best use of its employment density potential as well as supporting our key sectors such as manufacturing and engineering.

Environmental Health - An Air Quality Assessment is not required.

Southern Water - No objection subject to an informative.

Chichester District Council - No comments to make on the application. Please ensure that full consideration is given to the views of WSCC and Highways England.

WSCC Flood Risk Management Team - Development should not take place until a surface water drainage scheme/strategy for the site, based on sustainable drainage principles has been approved in writing by the Local Planning Authority.

The drainage strategy should demonstrate that the surface water runoff generated up to and including the 100 year plus 30% for climate change critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The majority of the site is at low risk from surface water flooding.

The site appears to be at low risk from ground water flooding.

ADC Drainage - Infiltration of surface water would not be effective at this location. Standard conditions to be applied with removal of requirement for percolation testing.

Parks & Greenspace

Landscaping

The provision of landscaping for the development must be conditioned with any permission. Some indicative planting has been illustrated with the plans DLA.1643.L003.02 B2 Illustrative Masterplan and DLA.1643.L003.03 B2/B8 Illustrative Masterplan provided this must for a condition on any reserve matters application. A full landscape scheme should be submitted for approval, detailing species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained so that a clear picture of the proposals can be seen. These details are required to ensure that appropriate screening is provided, maintaining and uncompromising the setting and ensuring that the proposals fit within the area of neighbouring development.

We note there is a requirement for any scheme, in accordance with policy 'Site 6' to be of High

Quality Design, the nature and usage of this development should not compromise this requirement. The emerging landscape design aims should be

- To design and implement a scheme that reflects and incorporates elements of its surroundings and enhances the atmosphere of local distinctiveness.
- To create a visually pleasing and interesting landscape for owners, employees and visitors to the development.
- To enhance the landscape quality of the site when viewed from the surrounding area.
- To provide a planting scheme that includes native species to blend with the surrounding location, enhance biodiversity and create enhanced wildlife corridor opportunity.
- To provide a sense of flow and cohesion between the different elements of the landscape, buildings, open areas and surrounding environment.

Arboriculture

A tree survey relating to existing trees has been undertaken. The tree protection fencing identified with the tree protection plan must be conditioned with any permission.

The Oak trees along the north/eastern boundary edge identified for retention, must be protected during the works as they have been identified to provide good visual amenity in addition to their biodiversity importance. These trees have the potential for a long life expectancy, with potential to become a prominent feature within the landscape and are worthy of protection, with adequate fencing according to the BS5837 (2012) Provision for fencing according to each of the trees' calculated root protection area must be erected prior to the commencement development activities.

Biodiversity / Ecology

The recommendations contained within the habitat survey report must be included within the conditions of any planning approval.

Clearing of remaining vegetation must not be carried out during the bird nesting season.

A reptile survey is carried out prior to works commencing on site.

Vegetation where detailed for retention to and boundaries is retained - this is noted as recommended under tree protection.

Bat and bird boxes are provided to enhance the ecological potential of the site and mitigate for any loss of vegetation.

Natural England - No comments to make with regards this application.

Archaeologist - No objection. I agree that the potential archaeological interest at this site and the likely impact on it would justify investigation in advance of development and that this would be appropriately secured following a planning condition. I therefore recommend standard archaeology condition ARC 1.

Ecologist - No objection:

Badgers

The badger survey has shown that there potential for badgers onsite. Due to this mitigation has been proposed within Addendum to Protected Species Survey Report (September 2015) and we are happy that the proposed mitigation is suitable and this can be conditioned.

Prior to start on site a badger survey should be undertaken to ensure badgers are not using the

site. If a badger sett is found onsite, Natural England should be consulted and a mitigation strategy produced.

Water Voles

The water vole survey has shown that there is a low population of water voles onsite. Due to this mitigation has been proposed within Addendum to Protected Species Survey Report (September 2015) and we are happy that the proposed mitigation is suitable and this can be conditioned.

Reptiles

The reptile survey has shown that there is a moderate population of reptiles onsite. Due to this mitigation has been proposed within Addendum to Protected Species Survey Report (September 2015) and we are happy that the proposed mitigation is suitable and this can be conditioned. The applicant should note that no works can commence until the reptile translocation has taken place.

Comments on Consultation responses:

Comments from consultees are dealt with in the main body of this report.

POLICY CONTEXT

- 'SITE 6' (the proposed employment site) and land Outside of the Built Up Area Boundary (the proposed flood compensation area);
- Flood Zones 2 and 3;
- Strategic Employment Sites in the Publication Version of the Local Plan (2014).

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN15</u>	Cycling and Walking
	<u>GEN18</u>	Crime Prevention
	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN23</u>	The Water Environment
	<u>GEN26</u>	Water Quality
	<u>GEN29</u>	Nature and Conservation Across the District
	<u>GEN3</u>	Protection of the Countryside
	<u>GEN32</u>	Noise Pollution
	<u>GEN33</u>	Light Pollution
	<u>GEN34</u>	Air Pollution
Publication Version of the Local Plan (October 2014):	<u>GEN7</u>	The Form of New Development
	<u>GEN8</u>	Development and the Provision of Infrastructure
	<u>GEN9</u>	Foul and Surface Water Drainage
		D DM1 Aspects of Form and Design Quality
		QE DM2 Light Pollution
		QE DM3 Air Pollution
		SD SP2 Built-Up Area Boundary
		T SP1 Transport and Development
		W DM2 Flood Risk
		W DM3 Sustainable Urban Drainage Systems
Bersted Neighbourhood Plan 2014 Policy EE3		Encourage a diverse range of commerce in

the Parish

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with the Development Plan in that it proposes employment uses on an allocated employment site.

OTHER MATERIAL CONSIDERATIONS

Enterprise Bognor Regis (Draft Local Development Order - July 2015)
Feasibility and Viability Assessment - Oldlands Farm (2014)

CONCLUSIONS

PROPOSAL:

For the purposes of this application, the development plan for the Arun District currently comprises the following documents:

- Extant saved policies contained within the 2003 Arun District Local Plan
- Bersted Neighbourhood Plan

The application site straddles two areas in the 2003 Local Plan, namely, Policy SITE 6 in relation to the proposed commercial uses, and open countryside in relation to the proposed flood compensation area.

Policy SITE 6 "Land to the north of Bersted, Bognor Regis and Felpham" states:

"The area shown on the Proposals and Inset Maps will be developed for a mix of residential, employment and public open space, together with Relief Roads. Provision is made for:

- 40.24 hectares of land to accommodate 1,350 dwellings which will consist of 650 dwellings at North Bersted and 700 dwellings at Felpham. 30% of these dwellings will be affordable housing, provided in accordance with Policy DEV17.
- 11.25 hectares of development for a high quality Business Park, accommodating uses generally falling within Class B1 of the Use Classes Order, although uses falling within Classes B2 and B8 will be permitted if they contribute to the regeneration objectives for Bognor Regis and are of a high quality design;
- An 11.8 hectare reserve for an extension to the Business Park, subject to the resolution of flooding issues;
- Relief Roads to form part of the Strategic Road Network;
- Infrastructure (or contributions for provision within the local area) as required by statutory authorities and service providers;
- Public open space in accordance with the Council's adopted minimum standards and as shown on the Proposals and Inset Maps; and
- A comprehensive landscaping scheme."

In terms of the emerging Local Plan (Publication Version of the Local Plan 2014), this has been suspended pending further consideration relating to insufficient housing numbers being set out in the Plan. Policies within the emerging local plan can be afforded limited weight at this time. Nevertheless, within the Local Plan the site is allocated as a 'Strategic Employment Land Allocation' and there is a clear commitment from the Council to carry the existing employment allocation forwards.

In terms of Neighbourhood Plans, the site lies within the Aldingbourne Neighbourhood Plan boundary. However, the plan has reached Regulation 18 stage and, following the examination, cannot be progressed without significant alterations as a number of policies in the emerging plan do not conform with the NPPF or strategic policies contained within the development plan. The current Neighbourhood Plan is therefore considered to have only very limited weight at this stage.

The Bersted Neighbourhood Plan has recently been made (adopted) and this does not appear to support B2 and B8 uses outside the existing employment areas, as detailed within policy EE3 of the Neighbourhood Plan. However, the proposed development site lies outside the Parish boundary and outside the Bersted Neighbourhood Plan area. Therefore, the policy is not directly applicable to the development proposal, although it is acknowledged that the concerns raised by the Parish in terms of vehicular movements are capable of being material considerations as there is potential disturbance to the highway network within Bersted. These are covered in more detail in the highways section of this report.

The application does lie within Aldingbourne Neighbourhood Plan area. However, whilst the Plan has been formally examined, the Inspector concluded that it should not proceed to a referendum without significant alterations. Therefore, very limited weight can be attributed to the policies within the NP. However, the NP does not make specific reference to the site, nor is the site allocated for any specific purpose in the NP.

The site also lies within close proximity of the Enterprise Bognor Regis Draft Local Development Order (Consultation 2015) which comprises a total site area of 23.8ha. However, as the application site is not included within the LDO boundary, this does not have a direct bearing on the principle of development in this case - although the contents of the draft LDO may be a consideration in respect of other matters set out in this report.

In respect of the NPPF, the emerging Local Plan is intended to reflect the substance of NPPF policies. However, as the emerging Local Plan has not been adopted, the following NPPF policies are considered particularly relevant in the determination of this application:

The National Planning Policy Framework (NPPF) has at its heart a presumption in favour of sustainable development, which should be seen as a golden thread running through both planmaking and decision-taking. Within para 14, it states that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the framework as a whole.

The government's growth agenda specifically supports the delivery of sustainable economic development and in particular paragraph 20 of the NPPF advises LPA's to "plan proactively to meet the needs of business and support an economy fit for the 21st century".

Paragraph 19 of the NPPF places strong emphasis on the support of suitable economic development "The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

Furthermore, Paragraph 20 requires Local Planning Authorities to plan proactively to meet the development needs of business.

Paragraph 21 of the NPPF recognises that planning policies should not hinder economic development and encourages LPA's to address any potential barrier to investment such as poor environment or lack of infrastructure. It states that policies should be flexible enough to accommodate needs which were not anticipated when preparing the development plan and that the Local Plan should "identify strategic sites for local and inward investment to match the economic strategy and to meet anticipated needs over the plan period."

The NPPF encourages authorities to review their employment land regularly and also to maintain flexible policies that are 'able to react to market signals'.

Paragraph 17 of the National Planning Policy Framework identifies a number of "Core Planning Principles" which should underpin decision-taking.

The development needs (both commercial and residential) of the District should be taken into account: "Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area..."

The protection of the countryside is also identified as a core land-use planning principle. Decision takers are required to "take account of the different roles and character of different areas... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities".

Paragraph 173 states that pursuing sustainable development requires 'careful attention to viability and costs' in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'

Paragraph 100 of the NPPF identifies that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should apply a sequential, risk based approach to the location of development to avoid where possible flood risk to people and property. A sequential test should be applied to ensure that development is directed to areas with least risk of flooding.

In areas at risk of flooding, Paragraph 101 of the NPPF states, "the aim of the Sequential Test is to steer development to areas with the lowest probability of flooding. Development should not be

allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding."

Para 187 of NPPF states that local planning authorities should look for solutions rather than problems and should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of an area.

PRINCIPLE:

The wider Oldlands Farm site is allocated for employment purposes in the adopted Arun District Local Plan under policies SITE 5 and SITE 6. The current application for employment sits in the north eastern corner of the Oldlands Farm site and falls within SITE 6 of the Local Plan allocation.

There is further land within SITE 6 which has recently been developed and occupied by Rolls Royce (BE/73/14/PL) which comprises two buildings in B2/B8 use. This was developed as part of phase 1 of the development of Oldlands Farm.

The proposed flood compensation area lies within open countryside but outside of the employment allocation.

Policy EMP DM2 of the emerging Local Plan identifies Oldlands Farm as a Strategic Employment Site. The emerging policy sets out a number of criteria against which applications should be assessed.

Local Plan SITE 6 policy places an emphasis on promoting B1 uses but goes on to say that "...uses falling within Classes B2 and B8 will be permitted if they contribute to the regeneration objectives for Bognor Regis and are of a high quality design." Emerging policy EMP DM2, on the other hand, identifies that a mix of B1, B2 and B8 uses will be supported, subject to a number of criteria being met. It does not stipulate a requirement for B1 uses. Whilst limited weight can be afforded to emerging policy EMP DM2, it nevertheless demonstrates an emphasis in promoting employment opportunities through investment and competition; and ensuring that employment potential is not stifled through restrictive policy requirements. This is considered to be more aligned with the NPPF, particularly paragraphs 19 and 21 which seek to promote policies and decisions which support sustainable economic growth in a flexible manner.

It is noted that development has recently been completed within the Oldlands Phase I site (planning permission reference BE/73/14/PL) and this did not include B1 uses. The units are now occupied by Rolls Royce, a single occupier, and the two main units comprise B2/B8 uses. The 38,099 m² floor space associated with the Rolls Royce development will initially provide employment for 200 people. The current application proposes two options, either 6no B2 units along with 2no B8 units; or 11no B2 units and therefore, it is likely that there would be multiple occupants across the site. The applicant has submitted details that demonstrate the employment potential associated with the proposal. This concludes that the proposal would support between 300 and 485 jobs, with between 425 and 565 based on full occupancy (and shift patterns etc). It does appear to acknowledge the reduced potential for job creation associated with B8 uses. It is considered that the employment potential of either of the proposals put forward should be given significant weight in the decision making process, in line with the provisions of the NPPF, and emerging policy EMP DM2.

Concerns have been raised by Coastal West Sussex and the Bognor Regis Regeneration Board

regarding the proposed mix of employment uses. Specifically, they are concerned that proposed 'Option 1' - to provide a mix of B2 and B8 uses, would not provide sufficient quality job opportunities in line with the provisions of the emerging Local Plan - to increase, diversify and improve the quality of employment. Similarly, the Council's Economic Development team have also registered their support for the proposed B2 option only, on the basis that this would provide the greatest number of high value jobs, and contribute towards creating more balanced sustainable economic growth in the District.

A large proportion of the Strategic Sites set out in policy EMP DM2 is covered by the draft Enterprise Bognor Regis Local Development Order (LDO), although excludes the application site. However, the parameters of the draft LDO comprise a mix of B1 and either B2 or B8 uses across the sites. Emerging policy EMP DM2 has been developed against the backdrop of the Oldlands Farm Feasibility and Viability Assessment (2011). The viability report identified a number of financial and logistical constraints in bringing the whole of Oldlands Farm site forwards. The report also recognised that proposals for the wider site that targeted just one sector or development type were likely to be less successful than a scheme which targeted a range of uses and was flexible to future demand.

The proposed development would result in the loss of grade 3b agricultural land. However, this is not considered to comprise best and most versatile land according to the NPPF. It is also the case that the site is allocated for employment purposes in the Arun Local Plan.

CONCLUSIONS ON PRINCIPLE OF DEVELOPMENT

Having regard to emerging employment planning policy, the proposed development would contribute to the overall mix of employment opportunities contained within emerging policy EMP DM2. Whilst this is a material consideration in the decision making process, the starting point for decision making is the 2003 Arun District Local Plan. Policy SITE 6 of the Local Plan states that B2 and B8 uses will only be permitted if they contribute to the regeneration objectives for Bognor Regis and are of high quality design. It is considered that B2 uses only would provide the greatest number of high value jobs and contribute towards creating more balanced and sustainable economic growth in the District, thus increasing the quality of the employment offering.

In particular, the concerns raised by the Bognor Regis Regeneration Board, the Council's Economic Development Team and Coastal West Sussex regarding the potential for B8 uses are considered to demonstrate potential conflict with the wider regeneration objectives of Bognor Regis. Proposed 'Option 2' comprises 6900m² of B2 uses, set within 6no units, with an additional B8 provision of 13,500m² within 2no units. This would potentially deliver only 33% B2 provision (GIA) across the site. Whilst it is acknowledged that the neighbouring Rolls Royce Motors Technology and Logistics centre comprises a B2/B8 development; this does not set necessarily set precedence for accepting B8 uses across the wider Oldlands Farm site. Rolls Royce is considered to be a high profile anchor tenant and this is likely to act as a catalyst for attracting high quality jobs and inward investment into this strategic employment area. It is acknowledged that the direction of travel in respect of emerging policy, and the most recent independent employment viability evidence for Oldlands Farm, suggests that the development of this site remains challenging, and that flexibility is the key to unlocking potential across the sites within Oldlands Farm. However, whilst the site has not been developed since the site was allocated in 2003; the Council and Partners have made significant progress in promoting Enterprise Bognor

Regis - including the proposed LDO. Furthermore, the BRNRR has recently been built which will undoubtedly improve transport links. The recent Rolls Royce development means that the site is likely to be significantly more attractive for future investors. All these factors are considered to weigh in favour of the high quality manufacturing jobs coming forwards in the local area on this site. In addition, the application has applied for two options, so it must be assumed that option 2 put forward by the applicant (B2 only) represents a feasible development proposal from their perspective. Overall, the site is considered to be significantly more attractive to investors than it has been at any stage since adoption of the 2003 Local Plan.

The NPPF aims to ensure that the planning system does everything it can to support sustainable economic growth. Whilst the mix of uses proposed is not in line within the specifics of policy SITE 6 of the Arun District Local Plan, it is nevertheless considered that B2 uses on this site would comply with the wider regeneration objectives of Bognor Regis, and this approach is supported by regeneration and economic development consultees. On that basis, the principle of development is considered acceptable in respect of B2 uses only, as this would provide more favourable conditions to attract quality investment and skilled jobs on this strategically important employment site.

In terms of phasing, it is considered that the application comprises a logical extension to the neighbouring Rolls Royce Technology and Logistics Centre site which forms part of Phase I of Oldlands Farm. Access would be taken through the neighbouring site within Phase I (Rolls Royce), and the Rolls Royce scheme has been designed in order to ensure links between the two sites are in place. The scheme includes a similar flood compensation scheme to that proposed in phase I. The proposed development is contained by the BRNRR to the north and the railway line to the south and east. It is not considered that the development of this site in isolation would jeopardise the wider, strategic employment potential of Oldlands Farm, or any of the other sites detailed in emerging policy EMP DM2, nor would it jeopardise the plan making process.

Whilst the application is proposed to the north of the main settlements boundary, it will be supported by the BRNRR and lies adjacent to an existing manufacturing development. The development would require the submission of a Travel Plan which could be secured by a planning condition. It is noted that the draft LDO includes Travel Plan provisions and, if implemented, this would also improve accessibility which would be beneficial to the wider area, including this site. Highways issues are considered in more detail in the relevant section of this report. The building would be designed to BREAM 'very good' standards. Overall, the application is considered to represent an accessible location and a sustainable employment proposal.

In respect of the proposed flood compensation area, there are no objections in principle to the alteration of land levels as it would not conflict with policy GEN3 of the Arun Local Plan, and the land would continue to be worked for agriculture. However, development of this site would be subject to a condition requiring a soil management plan to be submitted. The strategy would require full details of soil excavation depth and a strategy for storing top soils on the site prior to reuse.

DESIGN, CHARACTER AND LANDSCAPE

As the application is proposed on open arable land, and given the scale of the buildings proposed, it is inevitable that the character of the site would be significantly altered by the proposed development.

In the West Sussex Landscape Character Assessment the key aspects of the surrounding area include low lying flat open landscapes, meandering rife and straight drainage ditch systems, large-scale arable farming and few trees and hedgerows.

The site itself is largely flat, falling from 2.6m AOD along the northern boundary to 0.9m in the north east corner. The site(s) are currently arable fields with a number of ditches running in an easterly directly towards Lidsey Rife. A belt of scrub willow and occasional Oak trees follow the ditch on the northern boundary.

The openness of the employment site has been diminished to some extent by the raised BRNRR viaduct to the north and the recently constructed Rolls Royce manufacturing units and therefore, it has become relatively well enclosed. Views of the site from mid and long distance public vantage points are generally more limited.

From the north the site there would be open views from footpath 151 as it runs in a southerly direction from Sack Lane generally towards the development site. However, the buildings would be seen in context of BRNRR viaduct and the Rolls Royce manufacturing site from this receptor.

Views from the east, particularly from footpath 152 which runs across open fields, are filtered by the elevated railway line which runs to the east of the site. However, there would still be available views of the site from this receptor, although the development would be seen in context of the large manufacturing units behind. Footpath 152 also runs through the centre of the application site and whilst the route of the footpath would be unaffected by the proposal, it would be significantly affected (visually) and the quality of the experience for users of the footpath would be eroded. There would be intermittent views of the site from the south but these would tend to be from the northern edge of the existing industrial estate. From the west views of the site would be intermittent and partially filtered by both the BNRR and the existing Rolls Royce development. Despite the visual extent of proposal being limited to a small radius, the indicative layout shows that the tallest and largest buildings would be positioned towards the rear of the site and close to the railway line.

Landscaping details are reserved for future consideration. However, the submission includes indicative details which show the retention of mature trees on the proposed employment development site, and the shoring up of existing landscape buffers along the boundaries of the site. Given the predominantly open nature of the surroundings and the scale and context of the development hereby proposed, coupled with the landscaping scheme associated with the BRNRR, the proposal could be designed in such a way so as to protect mature trees, and the indicative details show a robust landscaping strategy. The Council's Greenspace section has no objection to the proposed development, subject to ensuring that any landscaping scheme is of the highest quality, in accordance with the requirements of policy SITE6. As landscaping details are reserved for future consideration, full details would be considered at reserved matters stage.

In respect of the existing oak trees, these are considered to be worthy of retention and protection during the construction phase. Given the raising of the land levels on the development site, it is imperative that careful consideration is given to the protection of the trees. Conditions are therefore recommended in order to ensure that the trees are identified and protected, and that full details of land raising are provided to ensure that the area surrounding the existing trees is excluded from land raising.

In terms of design, these details are reserved for future consideration. Nevertheless, the applicant has committed to ensuring that all buildings bordering the BRNRR to the north would be a maximum of 10m in height. The larger B2/B8 buildings would be located towards the rear of the site with a maximum height of 13.5m. Whilst it is clear that the B8 units are more likely to comprise large 'sheds'; it is considered that they would be acceptable in context of the surroundings. The illustrative layout indicates that the implementation of option 1 (B2 only) would be less visually intrusive than the option 2 layout. The levels across the site would closely replicate the adjacent Rolls Royce development.

The proposed flood compensation area would be returned to agriculture. Whilst the level of this land would be altered, it would assimilate with the adjacent flood compensation area and would not be significantly harmful to the character and appearance of the area or the overall landscape quality.

The South Downs National Park is located approximately 4.5km to the north of the site. Views of the site from the slopes of the park would be limited, and any views of the development would be seen in context of the other large buildings located adjacent to the site. The buildings associated with the development would be visible against the backdrop of the settlement. Given the limited visibility of the proposed development and the distance involved, it is not considered that the purposes of the South Downs National Park would be adversely affected.

Overall, the proposed development is considered to fit in context, being within an employment allocation and within the confines of the existing settlement which is now clearly demarked by the BRNRR. The scale of the development would clearly alter the nature and appearance of the site and there would be significantly adverse close up views from local footpaths. The effect of the development would be much less pronounced from mid and long distance potential viewpoints. The submitted LVIA concludes that the development would not result in significant permanent landscape harm. The development would be seen in context of other employment generating proposals within the area. The illustrative layout also demonstrates that landscaping and building layout and design would be a key component of mitigation which would be submitted at reserved matters stage.

When considered in the round the proposed development is considered acceptable when measured against policy GEN7 of the Arun District Local Plan and LAN DM1 of the emerging Local Plan. Overall, is not considered that the development would result in significant harm to the character and appearance of the area, landscape, or significantly affect the character of the wider countryside. The scheme has the potential to comprise a high quality design, as required by planning policy, which would be subject to consideration at reserved matters stage.

HIGHWAYS

Access to the employment site would be taken via the existing Rolls Royce site which is located within phase 1 to the south. This site is accessed directly from the roundabout on the A29 which also links the BRNRR with the A29.

The submitted Transport Assessment (TA) makes a worst case assumption on the basis that B2 uses would be provided across the site, as this would likely result in more vehicular movements/trips.

WSCC have reviewed the proposal both in terms of its standalone impact, and cumulative impact with phase 1 and potential developments within the LDO. In addition, the submitted TA covers scenarios both with, and without, mitigation proposed as part of the LDO TA. Overall it is considered that the proposed development would contribute to a cumulative impact on the operation of the existing A29/BRNRR and A29/Steyping Way roundabouts when combined with the traffic generated by both the LDO and other consented development. The TA demonstrates that the junctions will operate in excess of theoretical capacity and, given the nature and importance of the A29, this is considered to constitute a severe impact. However, the TA demonstrates that the impact could be mitigated by the introduction of the works proposed as part of the LDO (this includes lane widening and additional markings at the nearest A29 roundabout). Therefore, WSCC highways consider it necessary to require the development to make a proportional contribution towards the works by way of a S106 Agreement.

In terms of trip rates, WSCC highways are satisfied that the submitted assessment is robust. It is also considered that some of the predicted traffic in the submitted TA may have been over-estimated due to some uncertainty over what has previously been modelled in the Local Plan evidence. The submission clearly demonstrates a cumulative 'worst-case' assessment.

In terms of parking, the applicant proposes two indicative layouts. Option 1 (proposed B2 and B8) would include 326 spaces for the proposed units. Option 2 (B2 only) comprises 468 spaces to take into account the different parking standards applied to B2 and B8 uses. The proposal is considered to comply with the adopted parking standards.

In terms of the potential impact on the major A road (A27), Highways England raise concerns that the proposal may result in a significant impact on the Fontwell Roundabout to the north of the site. The applicant has provided additional information in an attempt to address these issues, and an update will be provided to committee.

There is little detail contained within the application regarding the movement of soils from the proposed flood compensation area to the development. However, the movement of materials between the two sites would temporary, and would likely represent no more than 2500 one way trips. Final details and routing could be secured through the imposition of a planning condition as the transferring of material between the two sites has not been finalised. Highways raise no objections to this approach.

In terms of the potential impact on the major A road (A27), Highways England raise concerns that the proposal may result in a significant impact on the Fontwell Roundabout to the north of the site. The applicant has provided additional information in an attempt to address these issues, and an update will be provided to committee.

BIODIVERSITY

The sites were assessed for habitat potential and ecological appraisals support the application. The fact that the site is regularly cultivated has restricted its potential for significant biodiversity value. Nevertheless, the boundaries of the fields and vegetation within the site do offer ecological opportunities.

In respect of bats, the site is open and there is considered to be limited opportunity for roosting potential. Within the development platform site there is a mature Oak and a Cracked Willow which provides some roosting potential. There is also some limited potential due to the internal

hedges.

The site includes potential for badger sett creation, although there was no evidence of use of the boundaries by badgers during the survey period. Proposed mitigation includes safe construction working practices, an updated survey prior to construction and the provision of linear routes through the site to maintain landscape connectivity. These matters could be secured by planning condition. No objections are raised by the Council's ecological adviser.

In respect of Water Voles, the applicant has submitted additional information. They are known to occur in low density in the area and are likely to use the ditches on site during times of high water. Most of the ditches on site are considered poorly suitable/marginal habitat for Water Voles due to them being only wet during high water levels; and also being shaded by bramble/hedgerow and scrub growth, which results in lower quality feeding and poor suitable vegetation growth. Mitigation is split into construction mitigation and operational measures. The construction mitigation strategy provides a basis for update monitoring of the ditches on site, and broad mitigation strategy for retention of main habitats and staged removal of Water Vole habitat, to an agreed best practice methodology. The operational measures involve creation and longer term management of new habitats on site. The Council's ecological adviser is satisfied with the proposed mitigation, subject to conditions.

The submitted survey reveals that the boundaries of the fields contain suitable habitat for common reptiles. The survey recorded a total of 3 Slow Worms and whilst Grass Snakes were not found, they have been recorded in the local area. The application proposes a number of mitigation measures to deal with reptiles including reptile protective fencing, the placement of refugia, the provision of new open space suitable for reptile populations, the submission of a mitigation strategy and a long-term management proposal. These elements could be conditioned.

In terms of bats, the Council's ecological adviser considers that the loss of internal features for bats would need replacing on a 1:1 basis, with a native woody species to provide a potential commuting corridor for bats. A number of other mitigation measures are proposed including the creation of buffer zones and careful lighting placement. These matters could be conditioned.

Overall the proposal is considered to comply with the requirements of policy GEN29 of the Arun District Local Plan and regard has been had to the provisions of the Habitats Directive. The sites overall have limited ecological interests. Any potential impacts can be appropriately mitigated.

IMPACT ON HERITAGE ASSETS

There are no heritage assets within proximity of the site and it is not considered that there would be any impact on the setting of any listed buildings or Conservation Areas.

The applicant has carried out an archaeological assessment, which covers both sites, and concludes that the presence of archaeology should not be an overriding constraint to development. Further investigative work could be conditioned, as confirmed by the Council's Archaeological advisor.

DRAINAGE

The site falls partially within flood zones 2 and 3 (3 - high probability of flooding from rivers and

sea). The application includes a parcel of agricultural land of approximately 5.6ha located to the north of the BRNRR. The basis of the drainage scheme for the overall development involves the excavation of earth from the site to the north, which would be transferred to the proposed development platform to the south. The excavated area is intended to provide a compensatory flood plain to ensure no overall loss of flood plain occurs.

To ensure continuity between the existing flood compensation area to the north of the BRNRR, the proposed flood compensation area, and the Oldlands Farm ditch, it is proposed to introduce a new channel to the south east of the site adjacent to the railway line which would then outfall under the main railway line.

The site is allocated for employment purposes in the emerging Local Plan and is also allocated for employment in the 2003 Local Plan. The National Planning Practice Guidance (NPPG) states that individual developments on sites allocated in development plans through the sequential test should not be subject to a sequential test. As it stands the emerging Local Plan has not been adopted - although as part of the evidence within the emerging Local Plan the Council carried out a sequential test and exception test for a number of strategic employment sites, including Oldlands Farm. These areas form part of the allocation within the emerging Local Plan constituting Enterprise Bognor Regis, captured under policy EMP DM2. The site is also allocated within the Arun Local Plan as an employment site.

The applicant proposes that the proposed flood compensation area is located to the north of the BRNRR by carrying out a 'cut and fill' exercise. In effect, this area would become the flood plain, while the proposed development to the south would be lifted and consequently be positioned in Flood Zone 1. The Environment Agency raises no objections to the proposal. Similar flood compensation provisions have been provided adjacent to the site by virtue of planning permission BE/61/13 and the BRNRR.

The Council's drainage engineer and WSCC Flood Risk Management Team have assessed the submission and raise no objections, subject to conditions. The Council's drainage engineer has stated that infiltration of surface water would not be appropriate at this location. The applicant proposes that surface water run-off would be managed to mimic the existing run-off to Oldlands Farm ditch. Such details could be conditioned.

Based on the existing and emerging policy allocation and the evidence which supports the emerging Local Plan, it is not considered that the proposed development could easily be located in an area of lower flood risk without significantly conflicting with other planning policies, other than by considering another location within the Enterprise Bognor Regis area. Nevertheless, there are wider sustainability benefits in the proposed development of a strategic employment site which outweigh the flood risk. The submitted FRA demonstrates that the site can be developed by 'moving' the flood plain to an area of land to the north of the BRNRR, adjacent to similar flood compensation provisions. This approach has been agreed in principle with the Environment Agency in accordance with their guidance. Overall the proposals demonstrate that surface water run-off would be reduced in comparison with existing run-off and that the potential impact on flood risk has been suitably addressed. A number of conditions would need to be imposed in order to ensure that flood mitigation measures are properly assessed and implemented. The application is considered to comply with policies GEN9 and GEN11 of the Arun District Local Plan.

RESIDENTIAL AMENITY

There are no properties within close proximity of the site. The nearest properties lie to the north at a distance of over 330m on the northern side of the BRNRR. The nearest properties off the A29 are at a distance of approximately 470m to the North West. The site lies adjacent to the Rolls Royce manufacturing development and there are no restrictions in terms of operating hours on this site. Given the location of the BRNRR, which is located between the site and the nearest residential properties, it is considered that the principle of employment development is acceptable. A condition is recommended to ensure that noise mitigation measures are included at reserved matters stage.

Lighting details would be required at reserved matters stage as part of the layout details. The site is allocated for employment purposes and therefore, lighting is necessary, although potential significant impacts can be mitigated. The application is considered to comply with policy GEN33 of the Arun District Local Plan.

Any potential for issues arising during the construction phase could be conditioned so that a robust construction method statement is submitted to cover both the outline and full application elements of the proposal. With regards the full application, the proposal will need to include a request for dust, noise and construction mitigation measures.

OTHER ISSUES

Conditions would be attached requiring land contamination to be considered, including potential mitigation measures.

CONCLUSION

The application is considered to constitute a sustainable employment development which would provide significant job opportunities in its own right. Whilst the site is greenfield, it is allocated for employment purposes in the Arun District Local Plan and the emerging Local Plan, albeit that policy 'SITE 6' of the Arun District Local Plan supports mainly B1 uses, unless a proposals contribute to the regeneration objectives for Bognor Regis and are of high quality design. The proposal for B2 and B8 uses is not considered to represent a development which would align with the regeneration objectives of Bognor Regis. However, the proposal for B2 uses only, and the additional high skilled manufacturing jobs such a use is likely to generate are considered to align with the regeneration objectives of Bognor Regis in maximising benefits and opportunities for the town in a strategic employment location. Therefore, it is considered that the requirement for B1 set out in the Local Plan can be relaxed in this case, as the development of the site for B2 uses only represents a flexible approach to supporting sustainable economic growth and accords with SITE6 of the Local Plan.

The employment scheme is considered to represent a logical extension to Phase I and represents a sustainable employment form. It would take advantage of new infrastructure (BRNRR) and existing access into Phase I.

The illustrative layout indicates large employment units which would be visible from the wider open countryside. The scheme would clearly have an impact on the landscape and visual amenities of the area. To an extent, the impact can be mitigated by layout and landscaping. The BRNRR and the nearby manufacturing units also provide an urbanised context. The proposed development is not considered to be at odds with what might be reasonably expected on a

strategic employment site. Reserved matters submissions will need to include a sensitive layout and high quality designed units in accordance with the requirements of policy.

The proposed flood compensation is considered acceptable in respect of appearance and likely impacts on the surrounding area. As this scheme is linked to the detailed design of the development platform proposed as part of the outline application, it is considered necessary to impose a number of conditions requiring full details of final levels and restoration.

In respect of other matters, it is considered that the proposed development, in principle, will have an acceptable impact in terms of highways, flood risk, ecology, noise and archaeology.

It is recommended that the application is granted on the basis of B2 provision only, subject to the following provisions and conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

A Section 106 Agreement is being prepared and draft Heads of Terms have been agreed in principle. The S106 Agreement will be required to include the following provisions:

A financial contribution of £50,000 is required towards works at the following junctions:

- A29/BRNRR
- A29/Steinyng Way

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The conditions below refer to the 'full' matters within the planning application (flood compensation area)
 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 statements:

DLA.1643.L003.01 - Red-line Boundary
5130:02 - Prelim Compensation Area
5130:03 - Raised Levels Section

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.
- 3 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council Highways. 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:
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles for excavation purposes,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of 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),
 - details of public engagement both prior to and during construction works,
 - details of dust suppression measures,
 - details of any lighting required during construction,
 - details of reversing alarm types of vehicles,
 - details of construction/operating hours during the construction phase.

Reason: In the interests of highway safety and the amenities of the area.
- 4 No development shall take place until such a time as a scheme to provide compensatory flood storage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include amendments to the current provision (as set out in the submitted FRA - ref 15/0455/5130) to reflect as far as possible the impact of any changes in modelled levels as a result of updated modelling where available. The scheme shall be fully implemented and subsequently maintained in accordance with the

timing/phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of floodwater from the site and in order to reduce the risk of flooding on the adjacent employment site, in accordance with policies GEN9 and GEN11 of the Arun District Local Plan.

- 5 Prior to the commencement of development, a restoration scheme requiring such steps as may be necessary to bring the land to the required standard for the use as agriculture shall be submitted to the Local Planning Authority for approval. The approved restoration scheme shall be implemented in its entirety prior to the occupation of any employment units hereby approved in outline by this planning permission.

Reason: In the interests of proper restoration of the site and in order to ensure that the site can continue to be used for agricultural purposes, in accordance with policy GEN3 of the Arun District Local Plan and the NPPF.

- 6 Prior to the commencement of development a written scheme of archaeological investigation and mitigation to be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets in accordance with the relevant paragraphs of the NPPF.

- 7 Prior to the commencement of development of any preparatory works an ecological enhancement scheme shall be submitted to the LPA for approval based on the recommendations within the addendum to the protected species survey dated September 2015. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

Reason: In the interests of the amenity of the environment of the development and in accordance with paragraph 118 of the National Planning Policy Framework.

- 8 Restoration works shall not take place outside 08.00 hours to 18.30 hours Mondays to Fridays and 08.00 hours to 13.30 hours on Saturday. There will be no construction on Sundays or Bank Holidays unless agreed in writing with the Local Planning Authority.

Reason: To safeguard the residential amenity of the area in accordance with the Arun District Local Plan.

- 9 The conditions below refer to the 'outline' matters within the planning application:

The permission hereby granted is an outline permission under S92 of the Town and Country Planning Act (1990) as amended and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 2 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Landscaping;
- (e) Access.

Reason: To enable the Local Planning Authority to control development in detail and to comply with Section 92 of the Town and Country Planning Act (1990) as amended.

- 10 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last reserved matters to be approved, whichever is 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.

- 11 The development shall be carried out in full accordance with the following approved plans:

DLA.1643.L003.02 - B2 Illustrative Masterplan
DLA.1643.L003.01 - Red-line Boundary
Ecological Appraisal - May 2015
Addendum to Protected Species Report - September 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 12 The development hereby permitted shall not exceed a total quantum of 17,453m² B2 floorspace only, and shall not include any B8 floorspace.

Reason: For the avoidance of doubt and because the highway and employment impacts have been assessed on that basis in accordance with Arun Local Plan policies SITE6, DEV 26 and DEV 27 and the National Planning Policy Framework.

- 13 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to Condition 9 shall include a phasing plan and schedule to show how the full development of the site is to be carried out in numbered phases. The development shall thereafter be carried out in accordance with the approved schedule and phasing.

Reason: In order to ensure that where the development is to be carried out in phase that the impacts can be properly controlled and monitored so as to ensure there is no significant impact on residential amenity or highway safety, in compliance with policy GEN7 of the Arun District Local Plan.

- 14 Details of the particulars submitted under the reserved matters pursuant to condition 9 shall generally accord with the principles shown on the drawing number DLA.1643.L003.02 'B2 Illustrative Master Plan'.

Reason: In order to ensure that where the development is to be carried out in phases, that the impacts can be properly controlled and monitored so as to ensure there is no significant impact on residential amenity or highway safety, in compliance with policy GEN7 of the Arun District Local Plan.

- 15 No development shall take place until such a time as a scheme to provide compensatory flood storage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include amendments to the current provision (as set out in the submitted FRA - ref 15/0455/5130) to reflect as far as possible the impact of any

changes in modelled levels as a result of updated modelling where available. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of floodwater from the site and in order to reduce the risk of flooding on the adjacent employment site, in accordance with policies GEN9 and GEN11 of the Arun District Local Plan.

- 16 Prior to the occupation of any of the units hereby approved, a skills plan shall be submitted which shall receive the written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved skills plan.

Reason: In order to ensure that local people have the best opportunity to access new jobs created, in accordance with policy GEN7 of the Arun District Local Plan.

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

Reason: To ensure that surface water drainage from the proposed development does not result in deterioration of groundwater quality. Appropriate pollution prevention measures must be incorporated into any drainage system so that any water discharged from the development is of very high quality.

- 18 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to condition 9 (layout) shall include details and plans which show that sufficient space has been allowed for the maintenance of Oldlands Farm Ditch. The details shall include timing and phasing arrangements and the details approved by the condition shall be carried out in full accordance with the approved timing and phasing arrangement.

Reason: To reduce the risk of flooding to the proposed development and future users.

- 19 Prior to the submission of any reserved matters the applicants shall submit to and have approved in writing by the Local Planning Authority a parameter plan and design code. The development shall be carried out in accordance with the approved parameter plans and Design Code.

Reason: In the interests of visual amenity in accordance with adopted policy GEN7 of the Arun District Local Plan 2003.

- 20 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 21 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to Condition 9 (layout) shall include full details of the maintenance and management of the SuDs system which shall be set out in a site-specific maintenance manual. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and ongoing operation of the SuDs system and to ensure the best practice in line with guidance set out in 'The Suds Manual' CIRIA publication ref: C697 Chapter 22'.

- 22 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to Condition 9 (layout) shall include full details of a proposed surface water drainage scheme. 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, the recommendations of the SUDS Manual produced by CIRIA.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: 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.

- 23 No part of the development shall be first occupied until a Travel Plan has been submitted to and 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 for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

- 24 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,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of 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),

- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

- 25 No mechanical ventilation or air conditioning system or any other plant machinery shall be installed or operated for each building until details of the installation and operation of the system have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter only be installed and operated in accordance with the approved details.

Reason: In the interests of amenity in accordance with Arun Local Plan Policies GEN7, DEV26 and GEN34.

- 26 Prior to the commencement of construction works on each building hereby approved, full details of the sound insulation and management measures to be incorporated into that building shall be submitted to and agreed in writing by the Local Planning Authority. The details shall highlight how future occupiers of that building will be protected from noise from other occupiers within the phase and adjacent developments and from external traffic noise, and how the building will attenuate noise which could impact on residential properties. The agreed details shall be implemented prior to first occupation and be retained and maintained thereafter.

Reason: In the interests of amenity in accordance with Arun Local Plan Policies GEN7 and GEN32.

- 27 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 approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun District Local Plan Policy GEN7.

- 28 At least 10% of the energy supply of the development shall be secured from de-centralised and renewable or low-carbon energy sources. Prior to the commencement of development within each respective phase 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 approved details shall be agreed in accordance with the approved timetable and shall be retained as operations thereafter.

Reason: In order to achieve high levels of energy efficiency in accordance with the requirement of the NPPF and emerging policy ECC SP2 of the Publication Version of the Local Plan.

- 29 Prior to the commencement of construction on a phase, written evidence shall be submitted to and approved in writing by the Local Planning Authority to show that the development is registered with a BREEAM certification body and a pre-assessment report (or a design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the BREEAM level "Very Good". The submitted statement shall be approved by the Local Planning Authority and each phase shall be constructed in accordance with the detailed scheme, with each phase including a

BRE certified BREEAM final assessment.

Reason: To reduce carbon dioxide and other greenhouse gas emissions and adapt to climate change in accordance with Policy GEN21 of the adopted Arun District Local Plan

- 30 Prior to the commencement of development on each phase, an Ecological Protection & Enhancement Plan and Details for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan and Details shall be based on the mitigation measures proposed in Ecological Appraisal dated May 2015, the Additional Protected Species Survey dated July 2015, and the Addendum to the Protected Species Report dated September 2015. The Plans and Details shall include a detailed timetable of implementation and monitoring. The development shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the protection and retention of biodiversity in accordance with Arun District Local Plan Policy GEN29.

- 31 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to Condition 9 (landscaping) shall include a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas. The landscape management plan shall be implemented in accordance with the approved details.

Reason: In the interests of the amenity of the local area and in accordance with policy GEN7 of the Arun District Local Plan.

- 32 No removal of any trees, shrubs or other vegetation that could contain an active bird nest shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the protection of wild birds during the breeding season in accordance with Arun District Local Plan Policy GEN29.

- 33 Demolition and construction works shall not take place outside 08.00 hours to 18.30 hours Mondays to Fridays and 08.00 hours to 13.30 hours on Saturday. There will be no construction on Sundays or Bank Holidays unless agreed in writing with the Local Planning Authority.

Reason: To safeguard the residential amenity of the area in accordance with the Arun District Local Plan.

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

Reason: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the NPPF.

- 35 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to Condition no1 (layout) shall include full details of final levels and contours across the site. The development shall be carried out in full accordance with the approved details.

Reason: To prevent flooding by ensuring the satisfactory storage of floodwater from the site and in order to reduce the risk of flooding on the adjacent employment site, in accordance with policies GEN9 and GEN11 of the Arun District Local Plan.

- 36 No development within each phase, including site clearance, shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. 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, and 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 GEN7 of the Arun District Local Plan.

- 37 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, none of the buildings hereby permitted shall be used for storage and distribution purposes (B8 use class) without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To ensure that the employment potential of the site is maximised in accordance with SITE6 and GEN7 of the Arun District Local Plan.

- 38 The existing trees/bushes/hedges shall be retained and protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 39 Development shall not commence until a drainage strategy detailing the proposed means of foul and surface water disposal and a implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority, in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

40 INFORMATIVE: The developer must ensure that their proposal, both during construction and after completion of works on site, does not:

- Encroach onto Network Rail land
- Affect the safety, operation or integrity of the company's railway and its infrastructure
- Undermine its support zone
- Damage the company infrastructure
- Place additional load on cuttings
- Adversely affect any land or structure
- Over-sail or encroach upon the air-space of any Network Rail land
- Cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

41 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW

42 INFORMATIVE: The existing public footpath through the development site may need to be diverted or closed. You will need to contact the Public Rights of Way officer.

INFORMATIVE: The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water - www.southernwater.co.uk or tel 0330 303 0119.

43 INFORMATIVE: The applicant is requested to sign up to the Arun Developer and Partner Charter or to a Skills Plan. Details of these are available in the following link:

<http://www.cskills.org/nsacademy/>

The applicant is advised to contact Linda Standley on 01903 737844 or e-mail linda.standley@arun.gov.uk