



Town & Country Planning Act 1990 (as amended)
Town & country Planning (Development Management
Procedure) (England) Order 2015 - Article 5
Application for Outline Consent
DECISION NOTICE

Application Ref: AL/58/15/OUT

1 To Addressee

Luken Beck Ltd
 30 Carlton Crescent
 Carlton
 Southampton
 Hampshire
 SO15 2EW

2 Site Address

Oldlands Farm
 Steyning Way

 PO22 9NW

3 Description of Development

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.

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

1 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 (WSSC) 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: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 44 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



Karl Roberts
Director Planning & Economic Regeneration

Case Officer: Mr N Crowther

Date of Decision:

20 April 2016

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

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

APPEALS TO THE SECRETARY OF STATE

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

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

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

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

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

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

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

PURCHASE NOTICES

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

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

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