

Attn. Mrs A Gardner  
Planning Department  
Arun District Council  
The Arun Civic Centre  
Maltravers Road  
Littlehampton  
West Sussex  
BN17 5LF

18 November 2019  
Ref: RH/Let/P1483i

Dear Mrs A Gardner,

**Discharge of Conditions 4, 5, 7, 12, 14, 15, 16 and 18 pursuant to Application Reference A/74/18/OUT (*Outline Planning Permission with all matters reserved, except access, for the demolition of existing outbuildings and the erection of 9No. two storey dwellings consisting of 2No. two bedroom dwellings, 3No. three bedroom dwellings and 4No. four bedroom dwellings*) at The Laurels, Dappers Lane, Angmering, BN16 4EN.**

This application has been submitted on line via the Planning Portal under reference **PP-08280384** and includes the application form, relevant documentation, and this covering letter.

This application has been submitted alongside a Reserved Matters application which has been submitted following Outline consent (Reference A/74/18/OUT) relating to the layout, scale, appearance and landscaping for the erection of 9no two storey dwellings consisting of 2no two bedroom dwellings, 3no three bedroom dwellings and 4no four bedroom dwellings at The Laurels, Dappers Lane. We anticipate the determination of the Reserved Matters application to run alongside this discharge of conditions application. It is therefore acknowledged that this discharge of conditions application will be determined after the Reserved Matters application.

Please find enclosed details submitted to discharge Conditions 4, 5, 7, 12, 14, 15, 16 and 18 pursuant to Application Reference A/78/18/OUT at The Laurels, Dappers Lane, Angmering, BN16 4EN, as highlighted below.

- **Application Form**
- **Covering Letter**
- **Acoustic Report (Submitted to address Condition 4)**
- **Contamination Reports including Remediation Strategy, Risk Assessment and Infiltration Testing Report) (Submitted to address Condition 7)**
- **Detailed Landscape Plan (Submitted to address Conditions 5 and 12)**

**Directors**

Chris Barker MATP MRTPI Managing Director  
Huw James MRTPI  
Adam King RIBA

ECE Planning Limited  
Registered in England  
No 7644833  
VAT No 122 2391 54  
Registered Office: Amelia House  
Crescent Road, Worthing BN11 1QR

- Drainage Strategy including Drainage Technical Note, Construction Details, Proposed Impermeable Areas Plan, Proposed Ownership Plan and Proposed Drainage Strategy Plan (Submitted to address Conditions 14, 15, 16 and 18)

#### Condition 4

***Following approval of this application and before the reserved matters applications are determined, the applicant shall submit an acoustic report to demonstrate that the internal and external noise levels of the proposed residential units bordering these sites, including access thereto/from, will conform to the indoor ambient noise levels for dwellings and external noise levels for amenity spaces ie. gardens, as specified within BS8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings and World Health Organisation:2009. The applicant should also demonstrate application of guiding principles from ProPG: Planning & Noise May 2017 as well as from the Planning Noise Advice Document, Sussex, July 2015. Any mitigation measures which may prove necessary are to be specified and such a scheme to be approved in writing by the Local Planning Authority. Any works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and retained thereafter. Post construction validation testing to be carried out within 8 weeks of completion of those residential units closest to the noise sources to demonstrate to the satisfaction of the Local Planning Authority that the above standards are met.***

***The details agreed shall be adhered to at all times thereafter.***

Condition 4 requires an Acoustic Report to be submitted to demonstrate that the internal and external noise levels of the proposed residential units bordering these sites, including access thereto/from, will conform to the indoor ambient noise levels for dwellings and external noise levels for amenity spaces as specified within the referred regulations.

In this regard please find enclosed an Acoustic Report which states that although noise levels are anticipated to have a low impact, mitigation measures (in the form of trickle vents) have been recommended to control the loudest events which could result from the neighbouring commercial uses.

The Acoustic Report concludes that, with the implementation of the recommended trickle vents, the proposed scheme is not expected to experience a significant adverse noise impact and that the site is considered acceptable for the proposed residential use.

To conclude, the proposals are considered to be entirely acceptable in terms of Condition 4 of the Outline consent.

### Condition 5

***Prior to occupation of the dwellings details of any external lighting for the site shall be submitted to and approved by the Local Planning Authority and should take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The development shall proceed in accordance with the approved details and any further external lighting shall be subject to the prior permission of the Local Planning Authority. External lighting in association with this development shall comply with the institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2 - Rural.***

Condition 5 requires details of any external lighting to take into consideration the presence of bats in the local area and to minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

The proposed external lighting for the scheme would be situated on the dwellings and car ports only with no street lighting proposed. The proposed lighting has taken in to consideration the presence of bats by consisting of downwards, directional lighting with warmer colour temperatures with peak wavelengths, greater than 550nm (~3000°K). The Bats and Artificial Lighting in the UK Guidance Note (08/18) suggests that this specific lighting would have less impacts on bats by additionally consisting of low wattage and low levels of illuminance.

It is considered that Condition 5 has been successfully met in full.

### Condition 7

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

#### ***1. A preliminary risk assessment which has identified:***

- All previous uses.***
- Potential contaminants associated with those uses.***
- A conceptual model of the site indicating sources, pathways and receptors.***
- Potentially unacceptable risks arising from contamination at the site.***

**2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

**3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

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

**Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.**

**Where demolition is required 1. and 2. above should be submitted prior to demolition. Parts 3. and 4. can take place post demolition if necessary.**

This application is supported by the following site investigation documents as required by Condition 7:

- **Ground Contamination Risk Assessment Report;**
- **In Situ Infiltration Testing Report;**
- **Geo-Environmental Data and Historical Maps;**
- **Groundwater Monitoring Results;**
- **Remediation Strategy.**

In summary, the site investigation reports have identified contamination at the site in the form of complete pollutant linkages. Remediation proposals have been set out in the accompanying Remediation Strategy and are detailed below for ease:

| Contaminant Source                                                                                                                                                                                                                                                    | Remedial Measures                                                                                                                                                                                                                           | Potential Pathway(s)                   | Assessment of Risk to Human Health            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----------------------------------------------|
| Elevated concentrations of lead and PAH compounds and potential for localised asbestos contamination within the shallow soils across the site.<br><br>Concentrations of petroleum hydrocarbons in soils above the screening criteria for use of PE water supply pipe. | <b>Gardens and Soft Landscaped areas</b><br>Removal of all topsoil/made ground to expose the undisturbed soils below<br>OR<br>Provision of a cover system of 600mm "clean" soil overlying a high visibility geotextile marker and geo-grid. | Pathways severed by remedial measures  | No significant pollutant linkages identified. |
|                                                                                                                                                                                                                                                                       | Provision of barrier pipe<br>Provision of building cover, parking areas and permanent access ways comprising hard cover                                                                                                                     | Pathways severed by construction works |                                               |

Figure 1 - Remediation Proposals

It is considered that with the implementation of the recommended remedial measures, the site is suitable for residential accommodation and condition 7 has been satisfied.

#### Condition 12

***The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bat movements. Details of such retention and enhancement shall be submitted to and approved by the Local Planning Authority prior to commencement of development. These details should include provision of a buffer strip around the hedgerows, fencing during construction to ensure this area is undisturbed and filling of any gaps with native hedge species to improve connectivity. Where any hedge is to be removed as detailed within the survey, new hedgerow should be planted. The details agreed shall be adhered to at all times.***

Condition 12 requires details to be submitted for the retention and enhancement of the existing hedgerow on site boundaries, as set out in the Preliminary Ecological Assessment submitted with the Outline application, which are used by bats for commuting and foraging. The condition further requires a buffer strip to be included around the hedgerows and for the filling of any gaps with native hedge species to improve connectivity and for any hedge which is removed to be replaced.

As set out in the proposed Landscaping details, the existing hedgerow on the site boundaries will be retained and where it is proposed to remove hedging (such as within the middle of the site), new native mixed-species hedgerow is proposed in an alternative location, such as at the boundaries in order to improve connectivity. Furthermore, flowering grassland areas are proposed around the hedgerows which will act as buffer strips.

In this regard it is considered that the proposals satisfy condition 12.

#### Condition 14

***Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be adhered to and maintained in good working order in perpetuity.***

Condition 14 requires a surface water drainage scheme to be submitted and approved in writing by the LPA. The accompanying Drainage Technical Note and accompanying drawings which have been prepared by The Civil Engineering Practice are considered to fully address this condition.

#### Condition 15

***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 predevelopment run off values.***

Condition 15 requires formal consent 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.

The accompanying Drainage Technical Note states that all surface water is to be discharged to the ground and therefore will not be discharging any flows to watercourses. Furthermore, the Note states that there is no evidence of an ordinary watercourse or culvert on, or immediately adjacent to the site.

The proposals are therefore considered to fully address this condition.

#### Condition 16

***Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include (a) details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and (b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.***

Condition 16 requires full details of the maintenance and management of the SuDS system to be set out in a site-specific maintenance manual. The accompanying Drainage Technical Note sets out the details and is considered sufficient to fully address condition 16.

#### Condition 18

***The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority. The details thereby agreed shall be adhered to at all times thereafter.***

***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.***

As previously stated under 'Condition 15', there is no evidence of an ordinary watercourse or culvert on, or immediately adjacent to the site and therefore the landowner would not have Riparian Ownership Responsibilities. Please refer to the accompanying Drainage Technical Note for further information.

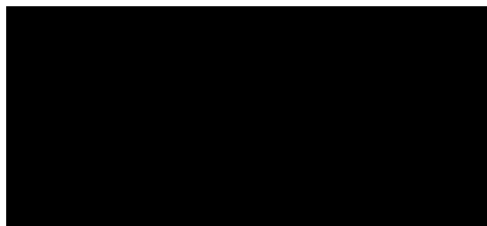
It is therefore considered that Condition 18 has been fully satisfied.

### **Conclusion**

It is considered that based on the enclosed information, Arun District Council can confirm that Planning Conditions 4, 5, 7, 12, 14, 15, 16 and 18, as listed above and pursuant to the planning application **A/78/18/OUT** at **The Laurels, Dappers Lane, Angmering, BN16 4EN** has been successfully met in full.

If you have any further queries or require further information please contact me on [REDACTED]

Yours sincerely  
ECE Planning



**Sam Sykes MRTPI**  
Associate Planner