

Recommendation Report for Planning Permission

REF NO: A/177/19/PL

LOCATION: The Vinery
Arundel Road
Poling
BN18 9PY

PROPOSAL: New building for storage or distribution, light industrial & office (Class B1/B8) & associated parking. This application is a Departure from the Development Plan & may affect a Public Right of Way.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes the new building for storage or distribution, light industrial and office (B1/B8) use and associated parking. This application is a Departure from the Development Plan and may affect a Public Right of Way.
SITE AREA	0.4 hectares.
TOPOGRAPHY	The land within the site is generally flat and level and lies approximately 1.3m lower than the existing industrial site. Surrounding topography is generally flat which affords views to properties to Poling Street to the west, Decoy Wood to the east and south towards Manor Farm and the Black Ditch.
TREES	There are a number of existing trees on the site. An established tree belt of leylandii tree to the west provide effective screening of the site.
BOUNDARY TREATMENT	Northern boundary of the site comprises The Vinery Commercial Industrial Estate. Eastern boundary of the site comprises a low lying hedge and existing industrial buildings which form part of the wider Vinery Industrial Estate. The southern boundary comprises open fields.
SITE CHARACTERISTICS	The application site comprises 2 no. former tunnels on part of The Vinery Industrial Estate. The application site also comprises part field, immediately to the south of the existing industrial buildings. The wider site is location adjacent to the A27. The site is well landscaped through existing vegetation which namely comprises leylandii planting to along the west.
CHARACTER OF LOCALITY	The site is rural in character with open agricultural land being found to the south, east and west. The application site relates well to the adjacent Vinery commercial estate which has a variety of businesses operating from it.
	To the north-east of the site (and to the east of the Vinery) there are a number of terraced dwellings running north-south called "Lillian Terrace" which are delineated from the rural

character of the application site by a clear boundary.

RELEVANT SITE HISTORY

A/158/19/PL	Open sided lean-to covered storage yard.	ApproveConditionally 10-12-19
A/44/18/PL	Land raising & use of land for car parking	ApproveConditionally 26-09-18
A/154/17/PL	Erection of industrial building (Unit 35b) for B1 (Business)/B8 (Storage or Distribution) purposes, relocation of existing site managers office & workshop. This application is a Departure from the Development Plan.	ApproveConditionally 20-12-17
PAA/53/17/	Proposed development of up to 850000 square feet (7900 sq. m) of new industrial floorspace	Approve Pre App 09-10-17
A/74/13/	Proposed distribution warehouse and covered storage, trade counter and associated offices. Upgrading of access road for and improvement of existing junction with the A27. This application is a Departure from the Development Plan and affects a public Right of Way.	ApproveConditionally 24-01-14

The land to the west of the site has remained vacant pending the proposed development of a composting plant, which was granted approval by WSCC in 2012 WSCC Ref: (WSCC/080/10/PD). It is understood that this scheme of development was commenced, but no significant buildings works have been undertaken.

South of the Vinery site is the Fargo development which is a large distribution warehouse providing materials and supplied for garden centres (LPA ref: A/74/13). As part of the implementation of this consent the access was upgraded to improve the diverge taper from the highway to the entrance road. This was in response to the increase in traffic generation by the proposals.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

ANGMERING PARISH COUNCIL: No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

South Downs National Park
Engineering Services Manager
Engineers (Drainage)
Ecology Advisor
Arboriculturist
Parks and Landscapes
WSCC Strategic Planning
Environment Agency
Highways England

CONSULTATION RESPONSES RECEIVED:

ADC SURFACE WATER DRAINAGE

No objection subject to consideration of matters raised in full consultation response and imposition of recommended conditions.

ADC GREENSPACE

No objection subject to condition relating to the submission of landscape detail to expand on the indicative material already submitted, to include tree protection measures for the existing hedge to be retained.

ADC ENVIRONMENT OFFICER

No objections subject to imposition of conditions detailed in full and securing of enhancement measures as set out in full consultation response.

WSCC HIGHWAYS

Highways access onto the A27 is the responsibility of the Highways Agency. The access road however is also a public right of way (PROW) FP/2200 - WSCC Prow team will comment directly.

WSCC MINERALS AND WASTE PLANNING

Application site is not within an identified Mineral Consultation Area, nor is it in close proximity to infrastructure related to the mining or working of minerals. No mineral sterilisation would occur and, as a result, the Minerals and Waste Planning Authority (MWPA) raise no objection to the development on these grounds.

MWPA offer no objection to the proposed development and is content that the proposal meets (c) of the WLP (2014) in that redevelopment of the site would form part of a strategy that has wider social and/or economic benefits that clearly outweighs the retention of the site.

The decision maker should, however, be satisfied that the proposals will minimise waste generation, maximise opportunities for re-using and recycling waste, and where necessary include waste management facilities of an appropriate type and scale (Policy W23).

WSCC FIRE AND RESCUE SERVICE

No objection subject to imposition of conditions set out in consultation response.

SOUTH DOWNS NATIONAL PARK AUTHORITY

No objections subject to conditions safeguarding landscape/ecology and conditions relating to the control of lighting; as set out in the consultation response in full.

ENVIRONMENT AGENCY

No objection subject to conditions set out in consultation response.

HIGHWAYS ENGLAND

No objection subject to conditions set out in Annex A of full consultation response.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

- Outside of Built-Up Area Boundary
- Horticultural Local Development Order
- Area of Special Advertisement Control
- CIL Charging Zone 3

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPDM1	EMP DM1 Employment Land: Development Management
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WDM1	WM DM1 Waste Management
WSP1	W SP1 Water

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Angmering Neighbourhood Development Plan 2014-2029.

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

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 relevant Development Plan policies in that the design and visual amenity would accord with the character of the area, no impacts upon highways, transport and parking would result, trees and landscaping would be enhanced, no impacts upon drainage would result and ecological improvements would result.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS**PRINCIPLE**

The application proposes the erection of a new B1/B8 building for the occupation by an existing business currently located in the Vinery Industrial Estate, but seeking expansion.

Policy EMP DM1(6) of the Arun Local Plan supports development on sites outside the built-up area, provided that the proposal demonstrates:

- a. That it is an appropriate sized extension of an existing employment site, or no acceptable alternative can be identified within existing permitted or allocated sites, or within or through redevelopment of existing commercial premises;
- b. That it would not intensify uses at the site to the detriment of existing public access routes and highways;
- c. A high standard of design, layout and landscaping appropriate to the context;
- d. That it is capable of being well served by public transport or otherwise is readily accessible by means other than by private car to a significant residential workforce if employment intensive uses are proposed;
- e. Access arrangements and parking facilities will be provided in accordance with the Council's adopted standards;

- f. A sympathetic relationship to the surrounding areas that shows consideration of the landscape, habitat, built and historic environment contexts, the opportunities to deliver on-site habitats and protect key species;
- g. A satisfactory relationship with neighbouring uses in order that the amenities of nearby residents, in particular, are protected; and
- h. Where appropriate, crime prevention measures are incorporated.

Policy ER2 of the Angmering Neighbourhood Development Plan also accords with the underlying intent of Policy EMP DM1 of the ALP. Accordance with the (a)-(h) criteria is detailed in the following sections of this assessment. However, the Development Plan is therefore supportive of development of this nature, in principle.

DESIGN & VISUAL AMENITY

Policy D SP1 of the Arun Local Plan requires all development proposals to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, scale, massing, character, materials, finish and architectural details. Policy D DM1 of the Arun Local Plan sets out a 15 point criteria against which the design of development should be assessed against.

Policy HD4 of the Angmering Neighbourhood Development Plan requires the use of materials to be harmonious with the immediate surrounding area. Policy HD5 of the Angmering Neighbourhood Development Plan requires built form to be in keeping with its surroundings and pay particular attention to integration with both the character of nearby development as well as its landscape setting.

The building predominantly comprises a 2 storey building with dual pitched roof finished in kingspan greenrock RAL 60003 metal cladding panels. These panels have a green appearance and would be non-reflective in nature. The proposed roofing comprises kingspan goosewing grey RAL 080 70 05 metal cladding panels; though their appearance would not have any wider visibility in the area owing to the pitch of the roof.

The proposed cladding to the exterior elevations would be finished in green which would settle harmoniously with the wider, landscaped rural setting of the site. This finish to the building would work well in the context of surrounding screening which would be secured by way of separate condition. A further condition could be imposed to require samples of the proposed materials to be submitted prior to their use.

The southern elevation would feature a larger extent of glazing, in comparison to other elevations on the building and this would be emphasised through the use of a feature oriel style window. However, this glazing would provide relief and a focal point in what would otherwise comprise a utilitarian style building.

The proposed footprint of the building would be substantial; however, this footprint, combined with the overall silhouette and external dimensions, would not be at odds with similar buildings within the immediate locality.

On the basis of the above, the development would accord with the character of the wider area by virtue of its location, scale, mass, layout, landscaping, character, materials, finish and architectural details. Therefore, the development would accord with Policies D SP1 and D DM1 of the Arun Local Plan and Policies HD4 and HD5 of the Angmering Neighbourhood Development Plan.

HIGHWAY, TRANSPORT AND PARKING

Policy T SP1(f) of the Arun Local Plan supports development which explains how the development has

been designed to accommodate the efficient delivery of goods and supplies, creates safe and secure layouts for traffic and incorporate facilities for charging electric and plug-in hybrid vehicles.

Policy HD8 of the Angmering Neighbourhood Development Plan supports the WSCC parking standards and encourages all new development to follow them. Policy TM1 of the Angmering Neighbourhood Development Plan requires proposals for new development shall demonstrate that adequate and satisfactory provision has been made to mitigate the impact of the traffic generated both during development and on completion.

The principle access point would be off the A27 Trunk Road to the north, with vehicles and traffic being routed around the internal roads of the Vinery site. Highways England, the statutory body governing trunk roads in the UK, concluded in their response that the development proposals can be achieved, subject to certain necessary conditions, without detriment to the safe and efficient operation of the Strategic Road Network.

Arun District Council Supplementary Planning Guidance sets out the following requirements for parking standards for B1 and B8 uses, calculated on a floor space basis. Under the guidance this comprises the following:

B8 proposed space = 1655 sqm. ADC standards comprise 1 space per 100 sqm. This generates 16.55 spaces.

B1 proposed space = 455 sqm. ADC standards comprise 1 space per 30 sqm. This generates 15.16 spaces.

The total requirement under Arun DC SPG guidance comprises 31.71 spaces. The proposed parking provision comprises 33 spaces and therefore parking provision accords with the ADC guidance.

Conditions relating to vehicle parking and turning on the site will ensure that safe and sufficient access can be provided on site. The LPA accepts the points raised by the applicant in their submitted Planning, Design and Access Statement in regard to car sharing and alternative means of transport. Therefore, adequate on-site parking is provided.

It is acknowledged that most inward deliveries will comprise HGV movements and these have been assessed as being acceptable and compatible with proposed vehicle tracking on site. It is understood that most outward vehicle movements will comprise large vans which are able to operate to and from the site without any wider detriment to vehicular safety.

On the basis of the above, and subject to the conditions detailed below, the development would provide for the transport demands created and would not result in any adverse impact upon the operation of the highway network; in accordance with Policy T SP1 of the Arun Local Plan and Policies HD 8 and TM 1 of the Angmering Neighbourhood Development Plan.

TREES AND LANDSCAPING

Policy ENV DM4 of the Arun Local Plan states where there are existing trees on or adjacent to a development site, developers shall be required to provide (d) land and tree surveys, (e) a tree constraints plan and (f) an arboricultural impact assessment to include a tree protection plan and arboricultural method statement. The underlying intent of this policy is to ensure development take a comprehensive view of tree issues at an early stage and works do not have a negative impact on existing trees.

The application is submitted with a supporting Arboricultural Assessment and Method Statement. In summary, only a 5m section of the southern tree belt would need to be removed. Therefore, there would

be a minimal/negligible impact upon trees and landscaping on the site.

The Environment Officer's consultation response seeks for additional planting to be secured by way of landscaping condition, and in the context of the Government's aspirations to secure biodiversity net gains with development, such a condition is assessed as being reasonable. This will also help to provide effective screening of the development in the context of the wider views of the South Downs National Park.

The supporting Arboricultural Assessment and Method Statement highlights a number of tree protection measures to be implemented in accordance with British Standards. Such measures will be secured by way of imposition of appropriately worded conditions.

On the basis of the above, the development therefore takes a comprehensive view of tree issues and would not have a negative impact on existing trees. Therefore, the development accords with Policy ENV DM4 of the Arun Local Plan.

LANDSCAPE AND VISUAL IMPACT

Policy LAN DM1 of the Arun Local Plan requires development within the setting of the South Downs National Park to have special regard to the conservation of that setting, including views into and out of the Park, and will not be permitted where there would be harmful effects on these considerations.

Policy EH2 of the Angmering Neighbourhood Development Plan requires new development adjoining the South Downs National Park, or that contributes to the setting of the Park, will be supported, provided that it does not adversely affect views into and out of the Park by virtue of its location or design.

Views of the South Downs National Park (to the north of the site) are publicly appreciable from along the public footpath which runs around and along the southern boundary of the wider Vinery site. Whilst walking along this footpath the existing tunnels prevent views of the SDNP. It is not until further along the public footpath does the site comprise part of the setting of the SDNP. From this perspective the existing tunnel buildings define the setting of the views and the addition of the proposed building would have a negligible impact on this setting.

Combined with conditions relating to materials, landscaping and tree protection measures, additional screening would likely provide a betterment and benefit to wider views of the South Downs National Park.

It is noted within the consultation response received from the National Park Authority that did not raise any objection to the proposed development, subject to the conditions set out in their consultation response.

On the basis of the above, the location of the development, combined with the proposed boundary planting, would ensure that views into and out of the South Downs National Park would not be adversely affected; in accordance with Policy LAN DM1 of the Arun Local Plan and Policy EH2 of the Angmering Neighbourhood Development Plan.

DRAINAGE

Policy W SP1 of the Arun Local Plan requires development to make active use of surface water as a design feature. It requires the Council to support development that is appropriately located, taking account of flood risk and promotes the incorporation of appropriate mitigation measures into new development, particularly Sustainable Drainage Systems that reduces the creation and flow of surface

water and improves water quality.

The applicant has liaised extensively with the Council's Drainage Team in respect of securing appropriate mitigation in respect of surface water drainage strategies. Concern was raised by the applicant regarding the proposed conditions raised by West Sussex County Council; and considered that the conditions proposed by the Council's Drainage Team to be more appropriate. The LPA is satisfied that the recommended conditions proposed by the Council's Drainage Team will adequately safeguard surface water management across the site. Further, no objection was raised by either consultee subject to appropriate information being provided in respect of each issue.

The plans detail the provision of a sewage treatment plant. Such matters are located in the south west of the corner of the site which comprises the least harmful location for this plant. The implementation of these matters could be undertaken by way of permitted development rights and would therefore not be considered problematic.

On the basis of the above, and subject to the conditions outlined below, the development would provide for the water demands created and would incorporate appropriate mitigation measures which reduces the creation and flow of surface water and improves water quality; in accordance with Policy W SP1 of the Arun Local Plan.

ECOLOGY

Policy ENV DM5 of the Arun Local Plan makes clear that development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. It requires that development schemes be appropriately designed to facilitate the emergency of new habitats through the creation of links between habitat areas and open spaces.

The application is submitted with a supporting Ecological Assessment which outlines the baseline conditions of the application site. The LPA's Environment Officer notes that the hedgerows and treelines on site are used for bats for commuting and foraging and will need to be retained and enhanced for bats. Such measures will be secured by way of condition.

The Environment Officer's comments also seeks to minimise the potential impacts of lighting on bats in the local area. Such a concern relating to lighting was also raised by the South Downs National Park Authority, albeit from the perspective of pursuing the dark skies initiative. However, a condition requiring details of lighting prior to their installation and use is sufficient to overcome such concerns.

The supporting Ecology Assessment details the baseline position regarding reptiles on the site and makes a number of recommendations to support their existing habitats and prevent damage or harm from ensuing. A condition will be imposed requiring the mitigation measures detailed in the Ecology Assessment to be undertaken and retained as such in perpetuity.

The Environment Officer's consultation response also recommended that works be undertaken outside of the bird breeding season (01 March - 01 October). A condition has been imposed below which would secure such timescales.

Further, the consultation response also outlines a number of ecological enhancements that will secure biodiversity net gains across the site. These namely relate to provisions which can be secured by the implementation of the landscaping condition and the wording of this condition has been updated to reflect such enhancements.

On the basis of the above, the development would deliver demonstrable biodiversity net gains across the

site and would safeguard protected species and habitats in accordance with Policy ENV DM5 of the Arun Local Plan.

SUMMARY

This application has considered the proposal for the new building for storage or distribution, light industrial and office uses with associated parking. The assessment has identified that the proposal would accord with the policies contained within the Development Plan, subject to the conditions set out below.

There have been no identified material considerations that would require a determination other than in accordance with the policies contained within the Development Plan and therefore planning permission can be approved.

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

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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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:

Location Plan
Proposed Site Layout/Block Plan

Proposed Ground Floor Plan
Proposed First Floor Plan
Proposed Drainage Layout
Proposed Elevations Sheet 1
Proposed Elevations Sheet 2
Tree Protection Plan PRI22693-03

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D SP1 of the Arun Local Plan.

- 3 No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- 1) A preliminary risk assessment which has identified:
 - a) All previous uses;
 - b) Potential contaminants associated with those uses;
 - c) 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 results of the site investigation and the detailed risk assessment referred to in (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 on the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (4) are complete and identifying any requirements for longer-term monitoring or pollutant linkages, maintenance and arrangements for contingency action.

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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.

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

Reason: This is required to be a pre-commencement condition to ensure that the development does not contribute to, or is not put at an unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

- 4 No work shall commence on site until a Construction Management Plan, to include details of numbers and types of construction vehicles, provision to control and manage construction traffic, and measures to prevent dust and debris from being blown or otherwise deposited onto the A27, has been submitted to and approved in writing by the Local Planning Authority (who shall consult with Highways England).

The construction of the development shall be carried out in accordance with the approved

Construction Management Plan unless otherwise agreed in writing by the Local Planning Authority (who shall consult with Highways England).

Reason: To ensure that construction of the development does not result in avoidable congestion on the A27 Trunk Road, to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety; in accordance with Policy T SP1 and T DM1 of the Arun Local Plan.

- 5 No development above damp proof course (DPC) level 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 details required shall incorporate the recommendations set out by the Council's Environment Officer's Consultation, detailed under the heading 'Enhancements', in their response dated 05 February 2020. 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 D DM1 of the Arun Local Plan.

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

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

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy ENV DM4 of the Arun Local Plan.

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

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood

and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 8 Prior to installation of any lighting, full details of any proposed lighting installed within the red line hereby permitted by the above plans, shall be submitted and approved by the Local Planning Authority in writing. Thereafter, the installation of lighting shall be undertaken in accordance with the details hereby approved.

Reason: In the interests of safeguarding protected bats in the nearby locality by avoiding unnecessary artificial light spill through the use of directional light sources and shielding in accordance with Policy ENV DM5 of the Arun Local Plan.

- 9 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

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

- 10 The development shall be undertaken in accordance with the recommendations and mitigation measures set out in full in the submitted Ecological Assessment by Peach Ecology dated 11 December 2019. Once mitigation measures and recommendations have been undertaken on site, they shall be retained as detailed in perpetuity.

Reason: To ensure the development does not adversely impact upon reptiles in accordance with Policy ENV DM5 of the Arun Local Plan.

- 11 Prior to the occupation of the building, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 12 Investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes, will be secured, protected and inspected.

The scheme as approved shall be implemented prior to the occupation of the development.

Reason: To ensure that the approved development does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

- 13 INFORMATIVE: Surface water drainage should be designed and constructed to comply with building regulation requirements. Infiltration should be fully investigated, if however it is found

that infiltration does not work controlled discharge to ordinary watercourse will be required. The applicant should be aware that any proposals to discharge flows to a watercourse require Ordinary Watercourse Land Drainage Consent prior to works.

Arun District Council requires 3m clearance between any structure and the bank of an ordinary watercourse and 3m clearance between any structure and a culverted ordinary watercourse. This is to ensure that no construction will occur that will limit the current or future landowners ability to conduct maintenance to the watercourse in line with their responsibilities under the Land Drainage Act 1991.

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

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

- 15 INFORMATIVE: Fire and Rescue Services Act 2004
Part 5, 38: Duty to secure water supply etc.

1)A fire and rescue authority must take all reasonable measures for securing that an adequate supply of water will be available for the authority's use in the event of fire.

Please refer to comment from West Sussex County Council requirement for a fire hydrant: Prior to the commencement of the development details showing the proposed location of 1 fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services. The fire approved details of the fire hydrant or stored water supply shall thereafter be undertaken in accordance with the approved details, prior to the occupation of the unit hereby approved.

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

- 16 INFORMATIVE: Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 01 March - 01 October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

- 17 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.