

ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

Please ask for: Mrs A Gardner
Email: Anita.Gardner@arun.gov.uk
Telephone: 01903 737529
Our Ref: A/64/21/PL
Your Ref:
Date: 16th November 2021

Dear Mr Barker,

Town and Country Planning (Pre-commencement Conditions) 2018
Notice of intention to impose pre-commencement conditions

Demolition Of Existing Buildings & Erection Of 40 No. Residential Dwellings Including 12 No. (30%) Affordable Units & Associated Landscaping, Road Layout, Parking & Provision Of Public Open Space. This Site Is In Cil Zone 2 & Is Cil Liable As New Dwellings.

Former Shrublands Nursery Roundstone Lane Angmering BN16 4AT

From 1 October 2018 section 100ZA(5) of the Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

The following Pre Commencement Condition/s are Proposed:

- 7 No development shall commence 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 Local Planning Authority. The development shall proceed in accordance with the details so agreed.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6.

- 8 No development shall commence 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 in accordance with policy TSP1 of the Arun Local Plan.

- 9 Prior to commencement of development, the applicant shall submit a fully robust Acoustic Report compiled by a competent acoustician, which identifies all noise sources in the vicinity, and the impact of these noise sources on the proposed new dwellings. Main noise sources will include road noise from Roundstone Lane and noise from commercial operations at Roundstone Kennels and Cattery and Farrowfields industrial site.

The Report which shall be submitted to and approved in writing by the Local Planning Authority, will detail a scheme of appropriate mitigation measures to demonstrate that the internal ambient noise levels within the residential units will conform to the "Indoor ambient noise levels for dwellings" guideline values specified in BS: 8233:2014 and the ProPG 2017, to include both dBLAeq and dBLA,f,max, 1 minute (8hour) levels (for night-time noise). The assessment shall also give consideration to the principles of BS 4142:2014+A1:2019 where Identification of noise sources can be achieved either through the use of manned monitoring, or through the recording of triggered noise events. The Planning Noise Advise Document: Sussex, 2021 can provide useful guidance.

If appropriate, the scheme shall take into account the correct number of air changes required for noise affected rooms and shall be based around a system of mechanical acoustically treated ventilation such as MEV 3 or 4 (Approved Document F - Building Regulations). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be retained in perpetuity.

If any residential unit cannot comply with the required standards as described in BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings and WHO, with windows open, then consideration must be given to The Agent of Change Principle, paragraph 182, National Planning Policy Framework (NPPF2) 2019 with the aim to protect the amenity of pre-existing businesses here. In this case a written report, detailing suitable mitigation measure shall be submitted to the Local Planning Authority for approval in writing.

If appropriate, details of any acoustic barrier to be erected along the north or southern boundaries of the development site, or both, including details of its ongoing maintenance, shall be submitted to and approved by the Local Planning Authority. The acoustic barrier shall be provided prior to occupation and retained and maintained in

perpetuity.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details could impact the design of the buildings and layout of the site.

- 10 Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the external noise levels within the curtilage of the residential units and general amenity spaces will conform to the 'design criteria for external noise' desirable guideline value (moderate annoyance) of 50 dB LAeq,T as specified within BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings and WHO. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and shall be retained thereafter.

Reason: In order to safeguard the amenity of local residents in accordance with Policy QE SP1 of the Arun Local. This is required to be a pre-commencement condition because these details could impact the layout of the site.

- 11 Prior to commencement of development the hedgerows on site shall be retained and enhanced for bats in accordance with details to be submitted to and approved by the Local Planning Authority. These shall include a buffer strip around the hedgerows (5m) and provision of appropriate fencing on site prior to any construction taking place. Any gaps should also be filled in using native hedge species to improve connectivity.

Reason: To ensure protection of protected species and improve biodiversity in accordance with policy ENV DM5 of Arun Local Plan. It is necessary for this to be a pre commencement condition to ensure hedging is adequately protected during the course of development.

- 19 Prior to the commencement of development 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 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.
2. 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.
3. 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. above should be submitted prior to demolition. Parts 2. and 3. can take place post demolition if necessary.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

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

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 28 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

OPTIONS:

1. Confirm your acceptance in writing by the **1st December 2021**.
2. Choose not respond (i.e. remain silent). If there is no response by the **1st December 2021** the Local Planning Authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice.
3. Provide comments before the **1st December 2021** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **1st December 2021** that you do not agree to the terms of the proposed pre-commencement condition, in which case the Local Planning Authority may then either:

- a. grant planning permission without the pre-commencement condition,
- b. seek written agreement to an alternative pre-commencement condition, or
- c. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact the case officer on the above extension.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website <https://www.arun.gov.uk/privacy-policy/>

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.

To register to receive notification of planning applications in your area, please go to <https://www1.arun.gov.uk/planning-application-finder>