

REPORT UPDATE

Application No: BE/102/17/OUT

Reason for the Update / Changes

Reason for Update/Changes:

The Local Highway Authority has provided triggers for the developer contributions in the draft Section 106 Agreement which are the "first occupation of any unit or use proposed".

Officer's Comment:

The triggers proposed by the Local Highway Authority are considered reasonable.

Reason for Update/Changes:

An email has been received from a local resident who has registered to speak at today's meeting in which concerns are raised regarding road safety, the protection of wildlife/biodiversity and the drainage of this area of coastal floodplain.

Officer's Comment:

The issues raised are covered in the Committee Report.

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

Recommendation Report for Outline Consent

REF NO: BE/102/17/OUT

LOCATION: Salt Box Field
Land Off Rowan Way
Bersted
PO22 9NW

PROPOSAL: Hybrid application comprising Outline application for development of employment units, warehouse, hotel, 2No. drive-thru units, public house, gym plus engineering works, landscaping & associated works. Full application for a Warehouse (class B8), fuel island, car parking, access roads with new entrance from Shripney Road plus engineering works, open space, landscaping & associated works. Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
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A hybrid planning application has been submitted to develop the site known as 'Salt Box', in Bersted for a two phased scheme for employment uses.

**PHASE 1 DEVELOPMENT (FULL PLANNING APPLICATION)
to be implemented 2017-2019:**

Full planning permission is sought for the Phase 1 development including Unit 2, which would accommodate a warehouse with processing, packaging and dispatch (B8 use measuring 2,810 square metres gross internal area) and offices (B1 use measuring 460 square metres gross internal area) at second and third floor. Unit 2 would be sited on a parcel of land to the rear of the application site, where Warburtons has a requirement for the storage and distribution of bread and products.

Unit 2 will comprise a modern functional industrial building with 'hamlet grey' and 'anthracite grey' clad walls and 'goosewing grey' clad pitched roof. The building would measure 13.5 metres high to the ridgeline and 11.5 metres high to the eaves. A refuelling point (fuel island with fuel tank, screen wash and oil storage) will be provided, constructed of Armco barrier protected above ground mid/dark green coloured tanks with access ladder and walkways. Unit 2 would be enclosed within either 2.4 metre high galvanised steel palisade fencing or paladin mesh fencing, with matching vehicle and personnel gates, and 0.6 metre high rodent barrier panels. A 4.0 metre high timber acoustic fence will be constructed along the north eastern corner of Unit 2. A fenced bin enclosure measuring 3.2 metres by 1.5 metres with a concrete pad base is to be constructed within the site compound of Unit 2.

Unit 2 would also include parking spaces for 60 vans, 70 car parking spaces, together with sheltered cycle parking.

The full application provides for all the necessary site access and highway works and landscaping infrastructure (including a planting strategy) together with drainage works including an on-site water treatment plant and attenuation ponds on the Salt Box site. The full application includes a 100 metre deep buffer zone to Shripney Village on the northern boundary of the site to help retain a sense of separate identity and contribute to the setting for the village. The Village Buffer Zone will be retained as farmland, which is crossed east to west by electricity transmission lines.

The full application would provide a serviced site to allow for the delivery of the remainder (Phase 2 Development) as tenant interest is identified.

Access to the Salt Box site is being applied for in the Phase 1 Development and would be from a fifth arm of the A29 Shripney Road / A259 / Rolls Royce warehouse roundabout. There would be potential for a future access to the Rowan Park Caravan Park to the south which is also part of the

employment allocation in the emerging Arun Local Plan (eALP) and in the draft Local Development Order (LDO). Associated access works will include street lighting, signage and highway drainage including all necessary service diversions.

PHASE 2 DEVELOPMENT (OUTLINE PLANNING APPLICATION) to be implemented 2020 - 2024:

Outline planning permission is sought for the Phase 2 Development, with a scheme that provides for the flexible delivery of employment space within the Salt Box site. An indicative layout plan has been submitted with the Phase 2 Development and includes the following:

- An 80 bed hotel (C1 use measuring 2,430 square metres gross internal area);
 - A public house (A3 and A4 uses, measuring 540 square metres gross internal area);
 - Unit 1 (B1 use measuring 1,860 square metres and B8 use measuring 9,750 square metres);
 - Unit 1 extension (measuring 4,640 square metres);
 - Unit 3 (B8 use measuring 1,420 square metres gross internal area);
 - A Drive-thru restaurant (A3 use in Unit 4 measuring 120 square metres gross internal area);
 - A second Drive-thru restaurant (A3 use in Unit 5 measuring 160 square metres gross internal area);
 - Unit 6 (B1 use measuring 1,590 square metres and B8 use measuring 1,590 square metres);
 - Unit 7 (B1 use measuring 1,170 square metres and B8 use measuring 1,170 square metres);
- Units 6 and 7 could be sub-divided to provide facilities for small businesses; and
- A gym (D2 use measuring 870 square metres gross internal area).

Each unit would be provided with car parking facilities for cars, cycles, motorcycles and service/heavy goods vehicles, in addition to service yard areas where required. The following quantum of car parking spaces is indicative: The Hotel and Public House = 126 spaces, Unit 1 = 200 spaces, Unit 3 = 110 spaces, Units 4 and 5 = 36 spaces, Units 6 and 7 = 58 spaces, Unit 8 = 21 spaces.

ECONOMIC DEVELOPMENT

The proposed development will deliver £33.7 million of capital investment and deliver approximately 30,520 square metres of new floor-space. The Salt Box site will deliver between 500 and 1000 new private sector jobs once both Phases 1 and 2

Developments are complete. The number of jobs is based on employment-floor-space ratios assuming 100% occupancy from 2022/2023. The broad range of jobs will help to increase labour market containment in Arun, potentially also reducing out- commuting to other areas.

GRANT FUNDING

Work undertaken to support the application for grant funding to contribute towards the delivery of the Salt Box development estimates that:

- The development is expected to generate £119,656 of additional business rate income, equating to £34,700 in indirect spending in the local economy each year; and
- A £15.8 million annual economic impact to the area.

SITE AREA
RESIDENTIAL DEVELOPMENT DENSITY
TOPOGRAPHY
TREES

BOUNDARY TREATMENT
SITE CHARACTERISTICS
CHARACTER OF LOCALITY

12.004 ha.
N/A

Predominantly flat
None of any significance affected by the proposed development.

The site boundaries have hedgerows interspersed with trees.
The site comprises agricultural land. The site is generally flat.

The Salt Box site is located on the northern edge of Bognor Regis, approximately 3.0 km north of the town centre, 2.5 km east of North Bersted and less than a kilometre south of the village of Shripney.

To the north of the application site lies the village of Shripney which has a Conservation Area. To the east is the A29 Shripney Road and beyond is the Oldlands Farm employment site which has been developed by Rolls Royce and has planning permission (BE/61/13/ and BE/114/17/PL) for additional employment uses on Phase 1 to the front of the site, including 2 car showrooms, a bulky goods retail unit and B8 trade counter warehouses. To the south is Rowan Park Caravan Park and to the south east is the Bersted Brooks Local Nature Reserve (LNR).

RELEVANT SITE HISTORY

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Middleton Parish Council

Bognor Regis Town Council

Bersted Parish Council object. The proposed development does not comply with Policy EE3 of the Bersted Neighbourhood Plan as far as B8 use is concerned. Appendix G of the Neighbourhood Plan says that B2 and B8 uses are incompatible with the rural / residential areas outside of the agreed zone due to size / number of vehicles and the relatively low number / value of jobs being created which is not the diverse range of industry which would be encouraged. The proposed development does not comply with Policy GA3 of the Neighbourhood Plan as it will cause more traffic on the already congested road network around Rowan Way and the A29 through Shripney. The highway safety of other vehicles using these roads, especially around the Bognor Regis Retail Park and Southern Cross Trading Estate are a major concern, which makes egress from Halfords dangerous and congestion, at times, tails back to Bognor Memorial Hospital roundabout. The planning application does not provide any mitigation measures to ease congestion. The Parish Council considers a road bypassing Rowan Way from the roundabout at the entrance to the site, through the proposed site to join up with the relief road would mitigate the traffic problems, making the site more attractive to potential businesses wishing to come to this site.

Bognor Regis Town Council object to the proposed development. Although the Town Council support the growth and the development of the Salt Box field, it is with reluctance that members object to this application on the grounds that the road plan has been ill thought out with no mitigation measures to ease current or future congestion and the application goes against Bersted Neighbourhood Development Plan Policy GA3. Members have grave concerns over the traffic and request that ADC and WSCC Highways investigate options for a road through Salt Box field, bypassing Rowan Way to ease the impending effect of further development / road congestion.

Middleton Parish Council raised no objection to the proposed development. The Parish Council recognises the benefits of the Salt Box development in terms of job creation. Notwithstanding this, the site is the key to developing a direct link road between the eastern and western Bognor Regis Ring Roads which will have the effect of stopping the need for vehicles to use Rowan Way. The route is already becoming congested and this will only get worse in the future. Whilst funding for the link road is not immediately available, it is essential that the Salt Box site is designed in such a way that the Link Road can be built, running through the site in an east-west direction. Some re-design of the site will be required albeit this will have significant benefits in the future.

The Campaign to Protect Rural England (CPRE Sussex) object to the proposed development. The application site lies outside the built up area boundary (BUAB) in open countryside where development will be strictly controlled, as indicated in policies GEN2 and GEN3 of the Arun Local Plan and Policy ES7 and Appendix F of the Bersted Neighbourhood Plan. As such, the proposed development is a "departure from the development plan" requiring reference to the Secretary of State to see if the proposal should be called in for his determination after a public inquiry. The application site serves to maintain an important gap of approximately 350 metres between the wider built-up area of Bognor Regis and the settlement of Shripney. The proposed development acknowledges this issue by retaining an 80 metre "village buffer" of open land on the north side of the development. However, if planning permission was granted, this buffer would not be sufficient to maintain the separate identity of Shripney. If planning permission is granted, conditions should be imposed for a comprehensive, well designed, landscaping scheme to soften the appearance of the large buildings on the site and to break up the large expanses of car parking, both of which are alien to the rural character of the area. The right place to consider the allocation of strategic employment sites, which might include the Salt Box site, is in the Local Plan, which went through a resumed examination in September 2017; rather than through a speculative planning application. It would be premature and prejudicial to the Local Plan process to grant planning permission now for such a major development, with significant impacts over a wide area, in advance of the

Inspector's report. The proposed development is also contrary to Policy EE3 and Policy GA3 in the Bersted Neighbourhood Plan and CPRE Sussex echoes Bersted Parish Council's concerns on these matters; and for consideration to be given to a road bypassing Rowan Way from the roundabout at the entrance to the site, through the application site to join up with the relief road.

Seven letters of representation have been received from five residents objecting to the proposed development on the following grounds:

- The application site is a greenfield site located outside the built up area boundary (BUAB).
- There is a move to promote commercial use of the Salt Box site but the emerging Local Plan and the Enterprise Bognor Regis project are not yet formalised.
- The Salt Box site is included and assessed on the HELAA as available for employment use, but this does not automatically release the land for development.
- Whether this proposed development would bring prosperity to Bognor Regis town centre or hasten its decline by taking business out of town, is questionable.
- The proposed development is in close proximity to Shripney Village, which includes a Conservation Area.
- The proposed development will undoubtedly bring more commercial heavy goods vehicle traffic onto the roundabouts at Halfords and the relief road junction with the A259. The Shripney/North Bersted area is already a traffic bottle neck.
- If this land was available for development, then why was it not used for the route of the bypass, linking the new roundabout on the A29 westwards to the new dual carriageway to the A259, instead of clogging up Rowan Way?
- In the event of the A29 being re-routed, local residents were led to believe that a recommendation would be made by Bersted Parish Council to bypass Shripney Village on the eastern side, joining the Bognor Regis bypass opposite the Rolls Royce site. This is one of the proposed routes on the original plan for the A29.
- The WSCC traffic counter on the A259 at Flansham is showing that traffic movement has increased by about 1.4 vehicle movements annually since 2015 - the proposed development will further increase traffic levels.
- If the intention is to regenerate Bognor Regis, make the traffic flow more easily and improve the living conditions of those residents along Rowan Way.
- The proposed development will generate a lot of traffic, noise and disturbance to an area adjacent to the Bersted Brooks Local Nature Reserve, which will not only destroy the peace and tranquillity of the area, but deter wildlife. The Local Nature Reserve will be surrounded on three sides by a main road, a caravan site and the proposed development on Salt Box Field.
- There will be an increase in air pollution from more traffic, especially a rise in diesel particulates. Local Air Quality Management has an obligation to review and assess air quality in this area, especially since the opening of the Bognor Relief Road.
- There is a much needed section of cycle route missing along the eastern side of the A29. How will the site link up with existing cycle routes adjacent to the site? How will cycling be accommodated within the application site.
- No consideration is given in the planning application to the pedestrians that use the Halfords roundabout.
- The Salt Box site will have 24 hours commercial activity.
- There will be an increase in noise and light pollution.
- There are already several fast food outlets in the neighbouring trading estates. Apart from encouraging poor eating habits, additional fast food outlets will increase the existing nuisance of litter being left down Shripney Lane.
- Although the farmland is not of the greatest ecological value, it is used by Lapwings and Gulls especially during the winter. The proposed development would result in yet another piece of land being made unavailable for wildlife.
- Once the site is developed, the land would be of less value as a potential flooding resource, despite any

possible flood alleviation proposed as part of the development. The proposed development would result in an increased risk of flooding. The application site has been designated as Flood Zone 1, but it is in close proximity to Flood Zone 3 areas. The Environment Agency map shows a projected increased warning of future river flooding, which enlarges the Flood Zone 3 area to include the Salt Box site. There is a real risk of altering the land drainage in the surrounding areas resulting in flooding of local homes and major roads. Salt Box field is slightly higher than its surroundings.

- The potential environmental impact of the site is being underplayed by the developers. This needs to be balanced against the provision of a relatively small number of low grade, service industry jobs. The real financial gain will go to the developers.

One letter of support has been received from the Bognor Regis Regeneration Board as the hybrid planning application will enable the development of the Salt Box site within the strategic Enterprise Bognor Regis initiative. Salt Box is one of three sites (Oldlands Farm, Saltbox and Rowan Park) identified in Arun District Council's (ADC's) draft Local Development Order (LDO). It is located on the A29 opposite the Oldlands Farm development and is planned to generate 677 net FTE jobs from the 340,000 square feet of mixed development. An anchor tenant has been identified for a 35,000 square feet. facility, employing 135 staff. It is estimated that the development will generate £20.7million gross Gross Value Added annually to the area over the next 10 years. The timeline for occupancy is early 2019 and construction activity needs to commence by spring 2018. Landlink Estates have applied for support from Cost to Capital's (C2C's) Local Growth Fund (LGF) to successfully develop the rest of the site. The LGF funding will specifically contribute to the necessary road and infrastructure costs which will enable both the Salt Box development and the future development of the adjacent site at Rowan Park, which is owned by the District Council.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the Conclusions section of this report.

CONSULTATIONS

Highways England
 WSCC Strategic Planning
 Environment Agency
 Southern Water Planning
 Surface Water Drainage Team
 Natural England
 Environmental Health
 Parks and Landscapes
 Economic Regeneration
 Sussex Police-Community Safety
 Engineering Services Manager
 Engineers (Drainage)
 Ecology Advisor
 Archaeology Advisor
 Arboriculturist
 WSCC Strategic Planning
 WSCC Strategic Planning

Environmental Health
 WSCC Strategic Planning
 Highways England
 Environment Agency
 Highways England

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND:

No objection raised. This is on the basis that having examined the application, it is noted that Highways England were not consulted with regard to the Transport Assessment methodology, and that evidence to back up the trip distribution have not been provided. Having assessed the evidence provided Highways England do not entirely agree with the Transport Assessment methodology. However, it is noted that the proposed development is a Strategic Employment site (number 1) within the emerging Arun Local Plan, and the site's trips assessed within the associated Arun Transport Study are higher than those included in the supporting Transport Assessment for this application. Likewise, while there has been good progress to date, not all matters regarding the Local Plan and the Arun District Council led "managed approach" to co-ordinating and delivering the required Strategic Road Network mitigation have been agreed. Therefore, as part of the "managed approach" it is for the Council to determine and, as appropriate negotiate any proportionate contribution from this application towards the improvements at the Bognor Road Roundabout on the A27 Chichester Bypass.

LOCAL HIGHWAY AUTHORITY:

No objection raised, subject to the imposition of conditions regarding the construction of the internal roads, footways and casual parking areas, car parking spaces, provision of cycle parking, the submission of a Construction Management Plan and a detailed Travel Plan. The Local Highway Authority is also requesting a Section 106 Agreement relating to off-site highway works to provide a new access into the site from Shripney Road roundabout; a contribution towards accessibility improvements on the A29 and A259 in the vicinity of the site including the provision of improved foot/cycleways on the A29 Shripney Road and A259 Rowan Way; and a contribution towards the A29 / A259 Felpham Relief Road Roundabout improvement scheme.

ADC ECONOMIC DEVELOPMENT:

Economic Development welcomes this planning application and fully supports these proposals. This site forms part of Enterprise Bognor Regis, a strategic employment site the council wishes to see developed for employment generating uses and this application fits entirely with this policy. In recent years we have received many enquiries from local businesses looking for sites in which to expand their businesses. This site and the proposed uses will fulfil this demand and help to ensure local businesses are retained in the area.

ENVIRONMENT AGENCY:

No objection raised in principle to the proposed commercial development, which is located almost entirely in Flood Zone 1 (Low Flood Risk).

ADC ENVIRONMENTAL HEALTH:

No objection raised. No contamination issues are anticipated at the site.

SOUTHERN WATER:

No objection subject to the imposition of conditions. The results of an initial desk top study indicates that Southern Water currently cannot accommodate the needs of this planning application without the development providing additional local infrastructure. The proposed development would increase flows

into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing areas, contrary to paragraph 109 of the NPPF. The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The District Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

ADC DRAINAGE:

No objection raised, but requested the imposition of conditions. Infiltration must be investigated for surface water disposal on the Salt Box site. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design.

ARCHAEOLOGY:

No objection subject to the imposition of a condition. The potential for this site to contain archaeological interest should be evaluated by trial trenching ahead of development in order that measures to ensure appropriate preservation might be put in place.

NATURAL ENGLAND:

No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Natural England advises the LPAs to obtain specialist ecological or other environmental advice when determining the environmental impact of development.

ECOLOGICAL ADVISOR:

No objection raised subject to conditions. The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced, including having a buffer strip of 5 metres around the hedgerows and during construction fencing should be used to ensure this area is undisturbed. The lighting scheme for the site will need to take into consideration the presence of bats in the local area through the use of directional light sources and shielding. A precautionary approach to reptiles would be suitable. Site clearance should be conducted during the season reptiles are active and the vegetation should be cut down to 10cm prior to any works taking place. Any dead wood, or rubble piles should be dismantled by hand and relocated. Prior to start on site a badger survey should be undertaken to ensure badgers are not using the site. There are high levels of water vole activity in the area so a precautionary approach should be undertaken. A 5.0 metre buffer is required around the ditch, with fencing used to ensure this area remains undisturbed. If works are required within the ditch area then an updated water vole survey will be required. Planting within this area should be improved to benefit water voles. 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 1st March and 1st October. A condition should be imposed to ensure that the proposed mitigation measures are implemented to ensure that the Brook LNR adjacent to the site is not adversely affected from the proposed development. There are a number of enhancements required on-site including any trees removed should be replaced at a ratio of 2:1; a wildflower meadow should be planted; filling any gaps in tree lines or hedgerows with native species; bat and bird boxes installed on the site; grassland areas managed to benefit reptiles; and log piles provided on-site.

ADC GREENSPACE:

No objection raised subject to the imposition of conditions.

ADC ARBORICULTURE:

No objection subject to imposition of conditions. The applicant has submitted an Arboricultural Impact Assessment (AIA) with Tree Constraints Plan and Tree Protection Plan in support of the proposed

development. The submissions accurately assessed the tree content in line with BS5837: 2012 recommendations and are a fair assessment.

SUSSEX POLICE:

No objection raised. Sussex Police recommended that the development be constructed to Secured by Design standards including controlled gated access to Unit 2, together with controlled pedestrian access to the site from Shripney Road. Between industrial Units 6 and 7 it is recommended that there is a substantial fence or dense planting to ensure there is no access from the public areas around the 2 Drive-thru restaurants (Units 4 and 5) and associated car parks as this area provides potential easy access to the staff car parking areas and the back of the industrial units (Units 6 and 7).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted, together with recommended conditions.

POLICY CONTEXT

Designation applicable to site:
Outside the Built Up Area Boundary (BUAB)
located in the countryside

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

AREA10	Strategic Gaps
AREA15	Sites of Local Importance for Nature Conservation
GEN11	Inland Flooding
GEN12	Parking in New Development
GEN14	Public Transport
GEN15	Cycling and Walking
GEN18	Crime Prevention
GEN2	Built-up Area Boundary
GEN23	The Water Environment
GEN25	Water Resources
GEN26	Water Quality
GEN32	Noise Pollution
GEN33	Light Pollution
GEN34	Air Pollution
GEN6	Amount of New Commercial Development
GEN7	The Form of New Development
GEN8	Development and the Provision of Infrastructure
GEN9	Foul and Surface Water Drainage

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
ECC SP1	Adapting to Climate Change
ECC SP2	Energy and climate change mitigation

EMP DM1 Employment land:Development Management
 EMP DM2 Enterprise Bognor Regis
 EMP SP1 Employment land provision
 EMP SP Strategic employment land allocations
 ENV DM1 Designated Sites of Biodiversity or Geological Imp
 ENV DM5 Development and Biodiversity
 ENV SP1 Natural Environment
 HER SP1 The Historic Environment
 HER DM3 Conservation Areas
 LAN DM1 Protection of Landscape Character
 QE DM1 Noise Pollution
 QE DM2 Light Pollution
 QE DM3 Air Pollution
 QE SP1 Quality of the Environment
 SD SP1 Sustainable Development
 SKILLS SP1 Employment and Skills
 SO DM1 Soils
 T DM1 Sustainable Travel and Public Rights of Way
 TOU DM1 Tourism Related Development
 T SP1 Transport and Development
 W DM1 Water Supply & Quality
 W DM2 Flood Risk
 W DM3 Sustainable Urban Drainage Systems
 W SP1 Water

[Bersted Neighbourhood Plan 2014 Policy EE6](#)

Bersted Neighbourhood Plan 2014 Policy EE3	Communications infrastructure
Bersted Neighbourhood Plan 2014 Policy ES2	Encourage a diverse range of commerce in the Parish
Bersted Neighbourhood Plan 2014 Policy ES7	Surface water management
Bersted Neighbourhood Plan 2014 Policy GA1	Development outside of the Built Up Area Boundary
Bersted Neighbourhood Plan 2014 Policy HDQ8	Pedestrian and Cycle Connections
	Car parking

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD6	Archaeology
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POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's

Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new Local Plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Regulation.14).

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 proposed development is located outside the built up area boundary (BUAB) of Bersted and is therefore considered to be contrary to the relevant Development Plan policies. However, there are significant material considerations that would weigh in favour of the proposals and the policies within the development plan that relate to the supply of employment land are out-of-date.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusions section of this report. These include the National Planning Policy Framework (NPPF) and associated Guidance and the draft Enterprise Bognor Regis Local Development Order (LDO) which was prepared in 2015, to last for a period of 15 years.

CONCLUSIONS

PRINCIPLE

The site lies in a countryside location outside the Built Up Area Boundary (Arun Local Plan 2003 and Bersted Neighbourhood Plan 2014) where the principle of development is considered unacceptable. Development Plan policies seek to exert a strict control over new development in the countryside to protect it for its own sake. Development will only be permitted in exceptional circumstances or where there is a strong justification for a countryside location. The Government's planning advice indicates that planning authorities should continue to ensure that the quality and character of the wider countryside is protected, and where possible enhanced.

However, the site is identified in Policy EMP SP3 of the emerging Local Plan (2014) as part of the Enterprise Bognor Regis Strategic Employment Land Allocation. The gross site area of land identified at Salt Box amounts to 11.7 hectares in Policy EMP SP3. The proposed modifications to the emerging Local Plan have recently been approved by Arun District Council and the Salt Box site continues to be an important part of the Enterprise Bognor Regis area which it is anticipated would be delivered in two phases, with Phase 1 2015 - 2019 and Phase 2 2020 - 2024.

The site forms the North West quadrant of Enterprise Bognor Regis and is also part of the draft Enterprise Bognor Regis Local Development Order (LDO) on the basis of the draft Policy EMP DM2 in the eADLP - and to last for a period of 15 years - but has not been 'made'. The aim of the LDO, which was prepared in 2015, was to: "promote the strategic development opportunity at land located adjacent to the A29 Shripney Road, in Bognor Regis". Whilst not having LDO status, the draft provides an indication on the type of uses anticipated to be delivered on the site, as well as providing background evidence on the site and key constraints. The LDO would have created a 'permitted development' planning environment for proposals in the following use classes: Use Class B1 (office, light industry, research and development), B2 (general industrial) and B8 (storage and distribution). An element of complementary uses for retail and services (Class A) and assembly and leisure (Class D2) would have been included to support the principal employment uses and to create and sustain an attractive location for business. This approach is mirrored in Policy EMP DM2 of the eALP, in criteria a) to k) inclusive.

The hybrid application site is one of three sites covered by the draft LDO:

- Salt Box (Site 1);
- Rowan Park (Site 2); and
- Oldlands Farm (Site 3 - planning permissions BE/61/13/ and BE/114/17/PL)

The draft LDO is a material consideration in determining the current hybrid planning application on the Salt Box site.

The Salt Box site is also 1 of 4 sites (including Rowan Park, Oldlands Farm and the Former LEC Airfield and adjoining land) in Policy EMP DM2 of the eALP which makes up the Strategic Employment Land Allocation constituting 'Enterprise Bognor Regis'.

The modifications to the emerging Local Plan provide an indicative gross floorspace of 25,130 square metres for the Salt Box site and an indicative Use Class of B1/B2. The draft Policy EMP DM2 states that a mix of B1, B2 and B8 uses will be supported provided that certain issues are addressed. Until adopted, the emerging Local Plan can only be given limited weight and taken into account as a material consideration, therefore until the emerging Plan is adopted the principal of employment development at the site is not firmly established.

Presumption in favour of sustainable development:

The presumption in favour of sustainable development in the NPPF would also be material consideration, and as the Arun Local Plan (2003) only (through Policy GEN6) provided for employment floorspace up to 2011, the relevant policies can be considered to be out-of-date, including GEN 2 (Built up area boundary) and GEN3 (Protection of the Countryside). This means that the presumption in favour of sustainable development would be taken into account in decision making. In relation to this proposal, the scheme would contribute to building a strong, responsive and competitive economy. The NPPF also states that significant weight should be placed on the need to support economic growth through the planning system (paragraph 19). This needs to be balanced in any decision with the social and environmental aspects of sustainable development, including social and environmental considerations. The current status of the site as countryside outside the built-up area boundary in the Neighbourhood Plan needs to be accorded weight in line with paragraph 198 of the NPPF. When the emerging Local Plan is adopted there will be a conflict between the Local Plan and the Neighbourhood Plan (NP). The National Planning Policy Guidance (NPPG) states that the decision maker should favour the policy that is contained in the most recent document to become part of the development plan. The NPPG also states that a NP should not be used to constrain the delivery of a strategic site allocated for development in the Local Plan. However, these arguments will only come into play once the Local Plan has been adopted.

PROPOSED USES

Policy EMP DM2 of the eALP specifies that "In order to attract new employment investment, and to realise the Council's vision for the site, the Council recognises that the provision of non B-class employment development could be appropriate to support sustainable and viable employment development. The inclusion of such non B-class uses will be permitted therefore subject only to the following conditions:

- h. Compatibility with the predominant use of the site for B-class employment uses;
- i. Be of a scale and nature that would not undermine the Plan policies designed to encourage regeneration of Bognor Regis town centre or impact significantly on Chichester City Centre;
- j. Be of a scale and nature so as not to generate levels of traffic, cause environmental impacts or involve noise sensitive uses that adversely affect the operations of B-class employment uses on the site; and
- k. Class C3 residential use will not be considered appropriate."

The uses proposed within the hybrid planning application alongside the B1 and B8 uses, comprising a hotel, a public house, two drive-thru units and a gym are considered to be compliant with those proposed by the LDO and in Policy EMP DM2 (h, i, j and k) of the eALP. However, on the issue of non B-class employment development, the LPA discouraged the applicant at the pre-application stage from applying for a retail (A1) use on the site as this would have been contrary to Policy EMP DM2(i) of the eALP as it would have undermined the retail planning policies designed to encourage regeneration in Bognor Regis town centre.

The proposed development of five B1/B8 units on the Salt Box site complies with Policy EMP DM2 (a) to (g) inclusive of the eALP as they would assist in promoting economic growth in Bognor Regis and the wider Coastal West Sussex sub-region.

LAYOUT

Guidance on Layout in the LDO comprises:

- Key spaces will be associated with 'social' activity nodes and placed at the confluence of pedestrian routes within the movement hierarchy to encourage accessibility;
- Formal green areas set to form an integral part of a pedestrian / cycle network aimed to link 'social' activity nodes and buildings with active frontages across the LDO;
- Legible distinction between publicly accessible space and private areas;
- Service yards, staff car parks and refuse and storage structures will be screened either by buildings or planting from main circulation routes;
- Buildings will be set back a minimum of 2.0 metres from the edge of the plot boundary, forming a threshold space.
- Development should be designed based upon principles of 'Secured by Design' which includes segregated pedestrian and cycle routes that can be overlooked from adjacent buildings to assist safety and security.

The proposed commercial uses (i.e. the public house, hotel and drive-thru restaurants) on the Salt Box site will comprise marker buildings focussed alongside the access to the site to form a gateway approach, providing activity and focus in this area, with the larger employment units (B1 and B8) set back into the site. The proposed development complies with the parameters set by the LDO in the design of the layout of Phases 1 and 2 with the larger, bulkier units sited deeper into the site and the commercial uses at the primary access from Shripney Road, in a gateway location; and Policy EMP DM2(f) of the eALP due to "the high standard of design and landscaping to maximise the 'gateway' location of the site".

CHARACTER

Planning Policies and Central Government Advice support the efficient and effective use of land. Policy GEN7(i) requires new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics.

The Salt Box site is part of Zone W in the LDO that comprises Salt Box and Rowan Park. Within this zone three distinctive character areas have been identified: - The Bognor Northern Gateway Corridor; Salt Box Green; and Landscape Edge.

In terms of Bognor Northern Gateway Corridor Character Area, the hybrid planning application will provide major gateway buildings and marker buildings at nodal points; create a new access point from the relief road roundabout onto the Salt Box site; provide active built frontage to the A29 and new green corridor; create gaps within the existing tree belt along the boundary of Rowan Park; the development is primarily industrial (B1 and B8) with potential for complementary uses located on the Shripney Road roundabout; attenuation ponds are to be provided in a parkland setting; and a minimum 10 metre strip is to be retained adjacent to the A29 site boundary for a landscaped and ecological buffer.

As for Salt Box Green Character Area, the hybrid planning application has the potential to create pedestrian access routes to the Bersted Brooks Local Nature Reserve footpaths and footpath network; create a view corridor from the access road; enhance the boundary treatments on the Salt Box site; include B1 and B8 uses on the site; provide an active frontage to the Bersted Brooks Local Nature Reserve (LNR) in terms of the offices in the western elevation of Unit 2; the provision of landscaped attenuation ponds in the vicinity of the LNR; together with the retention of an ecological buffer zone adjacent to the LNR.

The hybrid planning application would also deliver the design objectives for the Landscape Edge Character Area through the provision of landscaped and planted edges and flood compensation areas on the site; the creation of a managed landscaped area along the northern boundary with Shripney village;

the provision of a layered landscape along the boundaries of the Salt Box site; retain and enhance the public rights of way network; the provision of B2 and B8 uses on the site; non B class uses not being located along the boundary with Shripney village; and the provision of an attenuation basin within the buffer zone between Shripney village and the development area.

Consequently, the proposed developments on the Salt Box site comply with the three distinctive character areas in Zone W of the LDO and Policy QE SP1 of the eALP - Quality of the Environment.

DESIGN

The NPPF indicates that good design should contribute positively to making places better for people. The draft LDO includes general development parameters which provide guidance on primary and secondary road dimensions and building scale (particularly maximum heights - of 9m and 13.5m depending on location within the site). Plan 2 of the draft LDO includes a Zoning Plan which illustrates a 'gateway zone'. A detailed Design Guidance document was also prepared as part of the draft LDO and this provides an indication of the high quality design and landscaping standards that are expected on this important gateway site.

Emerging Policy EMP DM2 (f) refers to a high standard of design and landscaping to maximise the 'gateway' location of the Salt Box site. A design and access statement has been submitted with the hybrid planning application demonstrating how it meets the high quality design aspirations.

NEIGHBOUR AMENITY

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design and layout. It further indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. The main consideration for this site is the potential visual and disturbance impact on Shripney village. The Buffer Area shown on the submitted layout plan (to the north of Unit 2) reflects the 'Shripney Village Buffer Zone' that was identified in the draft LDO and this is important as it maintains a sense of separation between the employment site and the Village (including the setting of its conservation area and listed buildings). Provided that the buffer zone is maintained, the visual impact on the Village would be mitigated, in accordance with Policy EMP DM2(g) of the eALP.

FLOODING

The NPPF requires development not to give rise to an unacceptable risk of flooding detrimental to human health or property. The site is located within Flood Zones 1, 2 and 3. Policy EMP DM2 of the emerging Local Plan requires appropriate flood mitigation works. A Flood Risk Assessment (FRA) was carried out for the draft Local Development Order in 2015, which indicated that the site falls generally from the south-east corner towards the western boundary. The Report accompanying the LDO identified that the Shripney Manor Ditch forms the boundary to the north and most of the west of the Salt Box area of the site to the west of the A29, before flowing into the Aldingbourne Rife to the west of the site.

An FRA was also submitted with the hybrid planning application. The surface water network for the site is designed to convey and store surface water from the site for all storms up to and including the 1 in 30-year storm event without flooding habitable spaces on site or to adjoining properties with controlled flooding during the 1 in 100-year storm event (plus a 30% allowance for climate change). It is proposed that the site discharge into Bersted Brooks. The submitted FRA demonstrates how the scheme works in relation to the implemented flood relief scheme at Oldlands Farm; and that the proposed development can be drained in a sustainable manner through attenuation and infiltration. The FRA demonstrates that the development is not at flood risk from all sources and will not increase flood risk to other parties. As all

built development would be located in Flood Zone 2 , the proposed development is considered appropriate in accordance with Table 3 of the NPPF Technical Guidance.

The Phase 1 Development includes the provision of an attenuation zone for the retention of excess surface water in the north east corner of the site, together with four smaller attenuation ponds along the western and south-western boundaries of the Salt Box site. It is considered that, subject to the imposition of conditions, the proposed development complies with Policy EMP DM2(c) of the eALP regarding appropriate flood mitigation works, Policy GEN11 of the ALP and Policy ES2 of the Bersted NP.

DRAINAGE

The current foul water sewerage infrastructure cannot support the additional flows generated as a result of the development and as a result extensive off-site upgrade works have been recommended.

The applicant contacted Southern Water, and it was confirmed that there was currently no means of disposal for the foul water at the site, and the local sewerage infrastructure does not have capacity to take the proposed foul water flows from site. If a site has no means of drainage to an existing public sewer due to third party land, the developer can formally request a new public sewer. This means that the water authority can provide a foul water sewer to serve the site. The application should be used to requisition a new public sewer or public lateral drain under Section 98 of the Water Industry Act 1991 and the Water Act 2003 where you propose to design and construct the works under Section 30 of the Anglian Water Authority Act 1977. A Section 98 solution was been prepared by Southern Water in May 2015 for the site, that indicates costs associated with a pumped system.

In general, if there is a good reason why you cannot connect to the sewer (e.g. there is a river or a hill in the way) then the developer must apply for a permit so that the Environment Agency can decide whether to allow you to use a sewage treatment plant instead. The Environment Agency were consulted as part of the hybrid planning application and did not object to the on-site treatment plant. It is the applicant's intention to progress with the approval process once planning permission is granted as part of the detailed drainage design for the site.

Initially, a three stage wastewater system is proposed for the Salt Box site to deal with the foul water flows. The sewage is first settled to remove the solids and then biologically treated in an aerated biozone, consisting of rotating discs, or air injection, with a final settlement stage to remove the fine solids. The effluent is discharged, on average, 95% clean, to a land drainage system, then finally the watercourse, (subject to Local Authority and Environment Agency Consents). Maintenance and emptying is required at regular intervals, depending on the percentage occupancy and the plant design loads. This interval varies from plant to plant and the treated wastewater effluent should be clear, odourless and free from suspended solids. For the Salt Box scheme the system is to be made resilient to flooding given the proximity to the flood zones. The treatment system must meet the relevant British Standard at the time of installation. The standards currently in force for new systems are BS EN 12566. The clean treated discharge is subject to Environment Agency 'Consent to Discharge', prior to any flows being discharged directly the watercourse. It is anticipated that the foul water treatment plant will be overall more financially viable for the scheme, although the final costs are still to be confirmed. In relation to the programme, it is expected will take less time to implement, so it is the preferred option for the disposal of foul water sewerage from the proposed Salt Box site.

Therefore, as an alternative solution, the current foul water proposal is to discharge directly to the watercourse via a package treatment plan. In conclusion, there will be no increase in waste water flows in the sewerage system as a result of this development, nor would it require Southern Water's approval. The Phase 1 Development includes a foul water treatment plant site immediately north of Unit 2. It is considered that the proposed development complies with Policy EMP DM2(d) of the eALP regarding the

provision of a sealed sewerage system.

LIGHT POLLUTION

Planning policies emphasise the need to consider the impact of light on neighbouring uses and wider landscape, light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage. The required lighting should be designed in order to minimise the effect on the rural character of the local landscape, particularly to the north west and to minimise the impact on local views. Light spill outside the site should be minimised and carefully considered where it is adjacent to the ecology buffers with the aim of having no or very little lighting in these locations.

The External Lighting Statement submitted with the hybrid planning application highlighted that the lighting columns on the site roads and in the parking areas will be a maximum of 8.0 metres high. External lighting will be controlled to prevent operation during daylight hours; facilitate reduced coverage between midnight and 6.00am to satisfy minimum security requirements and reduce light pollution during unoccupied hours. It is considered that the proposed development complies with Policy GEN33 of the ALP.

NOISE POLLUTION

The NPPF and development plan policies emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses. Emerging Local Plan Policy EMP DM2 includes a clause to ensure that any non-B class uses on the site are of a scale and nature so as not to generate levels of traffic, cause environmental impacts or involve noise sensitive uses that adversely affect the operations of B-Class employment uses on the site.

A Noise Report was submitted with the hybrid planning application which identified three sources of potential noise impacts generated from the proposed warehouse on Unit 2 in the Phase 1 Development:

- Noise from activities at Unit 2 (assuming a busy 24 hour use involving HGVs and vans arriving departing an loading/ unloading) plus associated staff cars;
- Noise from plant or equipment on Unit 2; and
- Noise arising from the change in road traffic flows affecting people living on the surrounding road system.

The Noise Report recommended the construction of a 4.0 metre high acoustic barrier formed with tanalised timber feather edged close board fencing to part of the north eastern boundary of Unit 2 to mitigate the noise emitted from part of the building.

During the consultation process into the hybrid planning application, the LPA asked the applicant to justify the height of the acoustic fence and to consider reducing its height to 3.0 metres. Consequently, the applicant re-ran the SoundPLAN models to show the acoustic performance for 3.0 metres height and 4.0 metres height acoustic barriers to the north of the site. With a 4.0 metre high barrier, the LA_{max} parameter used for night time noise events and potential sleep disturbance enables levels of 45dB as LA_{max} as an internal level in the nearest residential property bedroom to be met with windows open. This equates to 60dB LA_{max} outdoors. These figures are referenced within WHO Guidelines and BS8233:2014 for appropriate and desirable internal levels. If the acoustic barrier was reduced to 3.0 metres then the noise level rises to between 62-64 dB LA_{max} outside which would mean that internal levels would be compromised above the criteria referred to in the WHO guidelines and BS8233:2014. Consequently, the LPA is satisfied with the applicant's justification for the need for the acoustic fence to measure 4.0 metres in height. It is considered that the proposed development complies with Policy 32 of the ALP.

RENEWABLE ENERGY

The applicant submitted an Energy Statement with the hybrid planning application for the warehouse and office (B1 and B8) building on Unit 2. The Energy Statement identified air source heat pumps as the most appropriate option for the two floors of offices on the western elevation of Unit 2, as they provide a renewable source of heat. Potential exists to connect to a neighbouring solar PCV farm subject to further investigation. As a result of the renewable heating energy from the air source heat pump, overall 2.4% of the developments regulated energy use would be generated from renewable energy sources.

HIGHWAYS AND TRANSPORT

A Transport Assessment accompanied the hybrid planning application in accordance with the requirements of Policy EMP DM2 (b) of the eALP. The Transport Assessment included information on trip generation and traffic flows. The proposed access to the site will be taken from the west side of the A29 Shripney Road/ A259 roundabout as anticipated and planned for under the terms of the LDO. The A29 Shripney Road is a dual carriageway subject to a speed limit of 40 mph in the vicinity of the application site.

Highway Junctions:

The Local Highway Authority has requested the implementation of off-site highway works to provide a new access into the site from the Shripney Road roundabout and associated works to street lighting, signage and highway drainage, which will be delivered by means of a Section 106 Agreement (and Section 278 of the Highways Act). The applicant is also required to make a contribution of £65,000 towards the A29/A259 Felpham Relief Road Roundabout improvement scheme. The proposed junction works would comply with Policy EMP DM2(a) of the eALP, which refers to the suitable upgrading and provision of access and / or junctions to the A29/A259 and Rowan Way as appropriate; and Policy T SP1 of the eALP.

Need for a New Road:

Bersted Parish Council, Middleton Parish Council, Bognor Regis Town Council and the CPRE (Sussex Branch) considers a road bypassing Rowan Way from the Shripney Road roundabout at the entrance to the Salt Box site, running through the proposed site to join up with the relief road - developing a direct link road between the eastern and western Bognor Regis Ring Roads which will have the effect of stopping the need for vehicles to use Rowan Way - would mitigate the existing traffic problems, making the application site more attractive to potential businesses wishing to come to this site.

The Local Highway Authority has responded commenting that the development is required only to ensure that the residual impacts of the proposed development are not severe. Taking account of the mitigation proposed as part of the current hybrid planning application, these are considered to mitigate any severe impacts. Looking also at the red line drawing, it is apparent that further third party land would be required to complete any link road westwards towards the A259 Bersted Relief Road. The applicant could not be expected to deliver a Link Road through to the A259. If such a link were necessary, it would have been identified as part of the draft Arun DC Local Plan Transport Study.

Shripney Village Bypass:

Local residents were led to believe that, in the event of the A29 being re-routed, a recommendation would be made by Bersted Parish Council to bypass Shripney Village on the eastern side, joining the Bognor Regis bypass opposite the Rolls Royce site. This was one of the proposed routes on the original plan for the A29.

In response, the Local Highway Authority considers that the A29 re-alignment is a separate scheme to the proposed development on the Salt Box site and, as such, would be subject to further consultation at an appropriate time.

Parking Provision:

The total parking provision for the whole Salt Box site comprising Phase 1 Development and Phase 2 Development, would be 621 spaces (including 32 disabled bays). There would be 12 cycle parking spaces for Unit 2 in the Phase 1 Development, in accordance with Policy T SP1 of the eALP and Policy HDQ8 of the Bersted NP.

Cycling and Walking:

Local residents have objected to the lack of cycleways along Shripney Way. The Local Highway Authority has also requested a contribution from the applicant of £132,500 towards accessibility improvements on the A29 and A259 in the vicinity of the Salt Box site development that includes the provision of improved footways/cycleways including crossing facilities on the A29 Shripney Road and on the A259 Rowan Way, in accordance with Policy EMP DM2(a) of the eALP and Policy GA1 of the Bersted NP.

Travel Plan:

The applicant submitted a Travel Plan with the hybrid planning application, which sets out a series of practical steps for reducing car use by staff travelling to and from work at the Saltbox site. The Travel Plan will be developed with the Local Highway Authority to promote a programme of sustainable transport measures. The aims of the Travel Plan are to encourage sustainable travel to work and home patterns by promoting car sharing, walking, cycling and the use of public transport. The Local Highway Authority is requesting the imposition of a condition requiring the submission of a detailed Travel Plan, in accordance with Policy EMP DM2 (b) of the eALP.

SUBSTATIONS

The applicant is proposing the provision of four electricity substations as part of the Phase 1 Development on the Salt Box site.

BIODIVERSITY

The NPPF and development plan policies indicate that developments should aim to maintain and enhance, restore or add to biodiversity and geological resources of the area. The emerging Local Plan Policy EMP DM2 requires that a suitable habitat assessment and where necessary, mitigation measures to ensure no overall loss of biodiversity given the importance of the area in relation to wildlife and particularly protected species. The Habitat and Eco Summary Report carried out in support of the draft LDO provides an indication of the suitability of the site for suitable habitat for legally protected species including dormice, bats, reptiles, water vole, otter, great crested newts, birds, invertebrates, badgers and other species of principal importance. The Habitat and Eco Summary Report also suggested mitigation measures.

The hybrid planning application was accompanied by an Ecological Appraisal which confirmed that no statutory or non-statutory nature conservation designations are present within the site itself. The extended Phase 1 habitat survey has established that the site is dominated by habitats of low to negligible ecological value, with the habitats of greatest ecological value in the form of the boundary vegetation, which will be retained and incorporated into larger ecological buffer areas.

The NPPF and development plan policies indicate that a development likely to have an adverse effect, either directly or indirectly on a Local Nature Reserve and Site of Nature Conservation importance such as ancient woodlands or wildlife corridors will not be permitted. The proposed site is located close to the Bersted Brooks Local Nature Reserve. The Bersted Brooks Local Nature Reserve is located adjacent to the west and south of the site and a number of safeguards are recommended in the Ecological Appraisal

submitted with the hybrid planning application which will ensure this designation is not adversely affected. The proposed scheme includes a LNR Buffer Zone to the south western corner of the site which was an area identified in the draft LDO to protect and enhance the LNR, which has been developed further in the Landscape Strategy submitted with the hybrid planning application.

The Ecological Advisor has requested the imposition of a condition ensuring that a number of enhancements are implemented on-site including any trees removed should be replaced at a ratio of 2:1; a wildflower meadow should be planted; filling any gaps in tree lines or hedgerows with native species; bat and bird boxes installed on the site; grassland areas managed to benefit reptiles; and log piles provided. Consequently, the proposed development complies with Policy ENV DM5 of the eALP, subject to the imposition of conditions.

LANDSCAPE

The Landscape and Visual Impact Assessment carried out for the draft LDO refers to the need to enhancing hedgerows and increasing species diversity along the southern and western boundaries of the Salt Box site. The applicant is proposing native tree planting along the northern and western boundary which would soften the effects of the development in views from the west and north west. The Landscape Strategy sets out that the 'village buffer' would accommodate planting of native trees and shrubs and grassland areas that will enhance biodiversity, and screen development to protect the amenity of existing residents in Shripney, in accordance with Policy EMP DM2(g) of the eALP.

ADC Greenspace has requested a landscape scheme, including full planting plans, by means of a condition which should maximise the biodiversity of the site with the inclusion of native species and the retention of a variety of habitats. These details are required to ensure that appropriate screening is provided, maintaining and uncompromising the setting and ensuring that the proposed development fits within the area of neighbouring development, the rural fringe and properties and the neighbouring South Downs National Park, whilst benefiting the potential of the application site. The area of non-development detailed as village buffer on the northern part of the application site has been identified to be retained, which will provide an important buffer area on this fringe, separating and defining the two and allowing an important green buffer and allowing a wildlife corridor to be retained. Existing trees along the boundaries, which provide screening of the road and adjacent caravan park and the nature reserve could provide potential valuable screening and should be protected and retained by means of condition.

The submitted Landscape Strategy which includes a range of soft and hard landscape areas along the Gateway Corridor, the Ecology Buffer protecting the setting of the Bersted Brooks LNR, a village buffer along the northern boundary close to Shripney, is considered to be acceptable, in accordance with Policy EMP DM2(g) of the eALP. Equally, the Planting Strategy for Gateway Corridor planting, Ecology Buffer planting, Village Buffer planting, planting around the retention ponds and swales, structural planting along the north and north west boundary and the planting of street trees along the primary and secondary Movement Corridor within the Salt Box site are considered appropriate, in accordance with Policy EMP DM2(e, f, and g) of the eALP.

TREES

An Arboricultural Impact Assessment (AIA) was submitted with the planning application identifying the proposed development would only necessitate the loss of a small number of low quality trees to facilitate access to the site and accommodate the proposed internal layout. The proposed development would not result in the loss of any trees considered worthy of individual distinction; and the proposed removals will be mitigated in an appropriate scheme of quality replacement plantings. The ADC Arboricultural Officer is satisfied that Tree Protection Plan shows adequate protection for the trees which are retained; and that the proposed tree removals and retentions are acceptable. Consequently, the proposed development

complies with Policy EMP DM2(f) of the eALP.

ARCHAEOLOGY

Archaeological remains are a fragile and finite resource. Permission will not be granted for development that would be harmful to the significant archaeological interest of the site. The Heritage Statement submitted by the applicant concludes that the development complies with the scale, form and type of development originally considered in the Heritage Statement in 2015 when the site formed part of the Enterprise Bognor LDO. The proposed development will involve varying levels of ground disturbance to the arable land on the Saltbox site. No previous historical impact or activity is recorded, other than agriculture, and while this may have caused some truncation of below ground archaeological features, where still present but as has been seen in recent investigations in the vicinity, this is not sufficient to remove the archaeological resource completely. The extensive investigations to the east of the application site on Oldlands Farm and North Bersted revealed evidence from the Middle Bronze Age that was exceptionally preserved due to the waterlogged environment. The Archaeological Advisor has requested the imposition of a condition requiring trial trenching ahead of development in order that measures to ensure appropriate preservation might be put in place. Consequently, it is considered that, subject to the condition, that the proposed development complies with Policy SPD6 and Policy HER SP1 of the eALP.

CONSERVATION AREA

In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990. The Heritage Assessment carried out to support the draft LDO provides a useful summary of the main issues and re-iterates the importance of the buffer zone to maintain a sense of separation between the development and Shripney Village and conservation area.

The hybrid planning application includes a Village Buffer Zone to maintain a sense of separation between the development and the Shripney Village Conservation Area. The 100 metre wide buffer zone, including the existing east-west orientated electricity transmission line which crosses the site from east to west will accommodate a flood attenuation basin and structural tree planting along the northern and north eastern boundary to screen development from the Conservation Area. It is considered that no effects on the Conservation Area are likely to arise as a consequence of the proposed development and that the proposed development complies with Policy HER DM3 of the eALP.

CONTAMINATED LAND

A Phase 1 Geo-Environmental Desk Study was submitted with the hybrid planning application which identified that the only potential contamination on the site derived from the presence of a former barn towards the centre of the southern boundary of the site, which was demolished in the late 1950s. The Environmental Health Officer raised no objection, commenting that no contamination issues are anticipated on the application site. Consequently, the proposed development complies with Policy SO DM1 of the eALP.

CONCLUSION

The application site is located outside the defined built-up area boundary of Bersted and is contrary to Policies GEN2 and GEN3 of the ALP and Policy HD1 of the ANP which intends to protect the countryside from non-related development. However, in determining the application weight would also need to be given to the following material considerations: the draft Local Development Order; the identification of the

site as part of Enterprise Bognor Regis in the emerging Local Plan (Policy EMP DM2); and the presumption in favour of sustainable development in the NPPF. This would also be combined with the significant weight that should be placed on the need to support economic growth through the planning system. The site is in a sustainable location which is suitable for employment uses. It is considered that the principle of development on this site is acceptable.

Some policies in the Framework are cast in terms which indicate that in certain circumstances planning permission should be restricted. These, in this case, relate principally to flooding, the natural environment and noise. Having regard to the tests set out in the NPPF in relation to these issues, and in the context of this report, it is considered that the circumstances are such that none of these issues amount to a reason for withholding planning permission either because the matter can be controlled by suitable conditions, the content of the Section 106 Agreement or because the public benefit outweighs the harm in respect of the issue at hand.

HUMAN RIGHTS ACT

Human Rights Act:

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010:

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

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

SECTION 106 DETAILS

The draft Section 106 Agreement is currently being agreed with the applicant and it requires developer contributions which will be required for:

Highway works:

1. Off-site highway works to be provided by the applicant to provide a new access into the site from the Shripney Road roundabout and associated works to street lighting, signage and highway drainage including all necessary service diversions.

2. A contribution of £132,500 towards accessibility improvements on the A29 and A259 in the vicinity of the development that includes the provision of improved footways/cycleways including crossing facilities on the A29 Shripney Road and A259 Rowan Way.
3. A contribution of £65,000 towards the A29/A259 Felpham Relief Road Roundabout improvement scheme, as set out in the Arun Transport Study 2016 (Stage 3).

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 Details of the scale, appearance, layout and landscaping of the site, (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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).

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than five years from the date of this permission.

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).

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the first of the reserved matters to be approved.

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).

- 4 The details referred to in condition 1 shall include details of the materials and external finishes of the buildings, surfaces for roads/footpaths, means of enclosure and the parking of vehicles, and the provision of samples of such materials and finishes as required. Development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To enable to the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy GEN7 of the Arun District Local Plan.

- 5 The development hereby permitted shall not be carried out except in substantial accordance with the Design and Access Statement incorporating Design Guidance dated August 2017.

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.

- 6 The planning permission relates to the following approved plans:

Location Plan

1744-P01-B. Site Master Plan. Proposed Parameters Plan

1744-P02-C. Site Master Plan. Proposed Block Plan

1744-P03-A. Site Phasing Plan

1744-P04-C. Schedules

1744-P20-B. Salt Box Unit 2. Proposed Site Plan

1744-P21-B. Salt Box Unit 2. Proposed Ground Floor

5920/LS/ASP1-C Saltbox, Bognor Regis Landscape Strategy

5920/ASP06 Saltbox, Bognor Regis Attenuation / Ecology Buffer

5920/ASP06 Saltbox, Bognor Regis Gateway Corridor
5920/ASP06 Saltbox, Bognor Regis Spine Roads

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.

- 7 No part of the development shall be first occupied until such time as the vehicular access onto A259 Felpham Relief Road Roundabout has been constructed in accordance with the details indicatively shown on drawing no. H1194-201.

Reason: In the interests of road safety, in accordance with Policy GEN7 of the Arun District Local Plan.

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

Reason: To provide car-parking space for the use, in accordance with Policy GEN7 of the Arun District Local Plan.

- 9 No unit shall be first occupied until covered and secure cycle parking spaces serving that respective part of the development have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, in accordance with Policy GEN7 of the Arun District Local Plan.

- 10 No part of the development shall be first occupied until the road(s), footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development, in accordance with Policy GEN7 of the Arun District Local Plan.

- 11 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. It is considered necessary for this to be a pre-commencement condition because the Construction Management Plan needs to be submitted and approved before development commences, in accordance with Policy GEN7 of the Arun District Local Plan.

- 12 No unit shall be first occupied until a Travel Plan covering that respective part of the development 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, in accordance with Policy GEN7 of the Arun District Local Plan.

- 13 No development shall be begun until a scheme for the foul and surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- i) Be carried out in accordance with the Strategic Surface Water Management Study, 2016 and the approved Enterprise at Bognor Regis Flood Risk Assessment (ADC/WSP) (April 2015), in particular the Indicative Surface Water Drainage Strategy and Flood Risk Management Measures.
- ii) Specify the range of measures used to manage surface water run-off including Sustainable Urban Drainage (SuDS) systems.
- iii) To ensure the effectiveness of the design storage through winter groundwater monitoring and percolation testing.
- iv) Ensure safe access and egress from and to the site.
- v) Demonstrate that sufficient foul and surface water capacity exists or will be provided both on and off site, to include the provision of pumping stations and access to the public sewerage system.
- vi) Set out pollution prevention measures including the measures to reduce the potential pollutants reaching ground, surface water bodies or the surface water drainage system, in particular measures for oil interception.
- vii) Provide for the provision and management of buffer zones alongside sensitive ecological zones, watercourses, ponds and wetland within and bounding the "red line" boundary of the site.
- viii) Include how the scheme shall be maintained and managed.
- ix) Include a timetable for implementation.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent pollution of groundwater, to ensure the satisfactory drainage of the site and to prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site in accordance with policies GEN7, GEN11 and GEN31 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the houses are built and occupied.

- 14 Construction methods that include piling / investigation boreholes / tunnel shafts/ ground source heat pump systems using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

NPPF (paragraphs 120 and 144); and to prevent pollution of groundwater in accordance with Arun District Local Plan policies GEN7, GEN26 and GEN31.

- 15 Development shall not commence 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, 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.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the houses are built and occupied.

- 16 Immediately following implementation of the approved SuDS scheme and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. There shall be no deviation to the approved scheme other than with the written consent of the Local Planning Authority. The scheme shall thereafter be maintained in perpetuity.

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

- 17 Development shall not commence until formal consent has been approved in writing from the Local Planning Authority in consultation with the Lead Local Flood Authority (WSCC) 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. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the houses are built and occupied.

- 18 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.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32, in accordance with Policy GEN7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because the on-

site SuDS needs to be approved and implemented before the houses are built and occupied.

- 19 Upon completed construction of the SuDS System but prior to occupation of any part of the scheme, the owner or management company shall either provide the local planning authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.

No further changes shall be made to the approved SuDS Maintenance & Management Plan/Regime including the management company responsible or the financial arrangements between the owners of the dwellings & the management company other than with the written consent of the Local Planning Authority.

The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the manual to ensure that the system is maintained in perpetuity.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32, in accordance with Policy GEN7 of the Arun District Local Plan.

- 20 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.

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, in accordance with Policy GEN7 of the Arun District Local Plan.

- 21 Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and an 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 Local Plan. It is considered necessary for this to be a pre-commencement condition because the site needs to be effectively drained before construction commences. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the houses are built and occupied.

- 22 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by the local planning authority in consultation with Southern Water.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policies GEN7 and GEN9 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because the site needs to be effectively drained before construction commences. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the

houses are built and occupied.

- 23 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 local planning authority.

Reason: The site is of archaeological significance in accordance with Policy GEN 7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because archaeology can only be investigated before construction commences. It is considered necessary for this to be a pre-commencement condition because archaeology can only be investigated before construction commences.

- 24 a. Prior to the commencement of development or other operations likely to affect trees being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

b. No operations affecting trees shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening of any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

c. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme.

d. Protective fencing shall be retained intact until completion of the development hereby approved and shall not be removed or re-positioned without the prior written approval of the Local Planning Authority.

e. No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. 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: In the interests of amenity and of the environment of the development in accordance with Policy GEN7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because the trees need to be protected before the dwellings are constructed on the site.

- 25 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 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

Reason: In the interests of amenity in accordance with Arun District Local Plan policies GEN7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement

condition because the trees need to be protected during the construction works.

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

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. It is considered necessary for this to be a pre-commencement condition because badgers are a protected species.

- 27 A Landscape and Management Plan (LEMP) is submitted at Reserved Matters stage, which details the ongoing management and aftercare of the site once construction is complete. The Landscape and Management Plan should include the following requirements:
- any trees removed should be replaced at a ratio of 2:1;
 - a wildflower meadow should be planted around the attenuation ponds adjacent to the Brook Local Nature Reserve (LNR);
 - a 5 metre buffer is required around the ditch with planting to protect the water voles;
 - filling any gaps in tree lines or hedgerows with native species;
 - bat and bird boxes installed on the site;
 - grassland areas managed to benefit reptiles;
 - log piles provided on-site.

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.

- 28 Prior to the commencement of development of any building a CCTV strategy for that building (to include details of the location cameras and type of system) shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to first occupation of that phase and be retained and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public safety in accordance with adopted Arun Local Plan Policy GEN7.

- 29 Prior to the occupation of a phase, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details for how the recyclable materials will be collected from the site with timescales for collection.

The approved scheme shall be implemented before the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

Reason: In the interests of amenity and to promote recycling in accordance with adopted Local Plan Policy GEN7.

- 30 Prior to the commencement of construction works or any preparatory works, details of the 4.0 metre high acoustic barriers along the north eastern boundary of Unit 2, should be submitted to the LPA for approval. Only the approved acoustic barriers should be erected, maintained and retained at the site.

Reason: To avoid unacceptable high levels of noise and in the interests of residential amenity, in accordance with Policy GEN7 of the Arun District Local Plan.

- 31 Details of the 2.4 metre high security fencing and gates enclosing Unit 2 shall be submitted to and be approved in writing by the Local Planning Authority prior to the occupation of and use

of the offices and warehouse on Unit 2. Only the approved security fencing should be erected, maintained and retained at Unit 2.

Reason: To avoid unacceptable visual impact in the interests of residential amenity, in accordance with Policy GEN7 of the Arun District Local Plan.

32 INFORMATIVE: The Internal Drainage Board (as noted in the FRA) in this area has been dissolved and therefore ordinary watercourses come under Arun District Council's jurisdiction on behalf of WSCC (as the lead flood authority). There is an ordinary watercourse abutting the site whereby discussion will be required in terms of maintaining future access for maintenance. Any works in, over or under, or within 5 metres from any ordinary watercourses will need a land drainage consent from the local authority (i.e. ADC).

33 INFORMATIVE: In addition to any other permission(s), e.g. planning permission, the applicant may need an Environmental Permit for Flood Risk Activities (formerly known as Flood Defence Consent prior to 6th April 2016) in order to carry out work in, under, over or near the main river Shripney Manor Ditch.

34 INFORMATIVE: There are a number of elements of work which will require an Environmental Permit, such as new bridges, upgrading of existing bridges, resurfacing of existing rights of way, outfalls, trees/planting and any other permanent or temporary works in, under, over or within 8 metres of the main river. For further information please visit: <http://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. For any further advice, please contact your local Environment Agency FRA Permitting Office at PSOWestSussex@environment-agency.gov.uk

35 INFORMATIVE: The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

Land uses such as general hard-standing that may be subject to oil / petrol spillages should be drained by means of oil trap gullies or petrol / oil interceptors.

36 INFORMATIVE: Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

37 INFORMATIVE: The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder.

38 INFORMATIVE: It is noted that the application includes a public house (A4 use). It is therefore recommended that the applicant consult directly with Police Licensing at Sussex Police

39 INFORMATIVE: Due to potential conflict with the hotel car parking and public house car parking and in order to safeguard the interest of the car park customers, Sussex Police highlighted the British Parking Association 'ParkMark' accreditation for the car parking areas. ParkMark and the Safer Parking Schemes is owned by Police Crime Prevention Initiatives Ltd on behalf of the police service and managed by the British Parking Association. It is aimed at reducing both crime and the fear of crime in parking facilities. Details can be found at

www.parkmark.com

- 40 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.