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Ms Nia Russell  
Mango planning  
Number two  
Waterton park  
bridgend

10 May 2018

Your Ref :  
Our Ref : BE/45/18/NMA

Please ask for :  
Michael Eastham  
01903 737772

Dear Ms Russell,

**Section 96A of the Town & Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Article 10**

**Non-Material Amendment following a grant of planning permission BE/102/17/OUT for an amended decision notice with the correct outline and full planning conditions attached to rectify the errors on the permission originally issued.**

**Salt Box Site, Land off Rowan Way, Bognor Regis,**

I refer to your recent application for a Non Material Minor Amendment.

Non-material amendments are considered to be those changes which are insignificant and do not change the intensity, form or description of the original planning permission. They cannot change the intensity of the original planning permission, result in a change to the description of the application or conflict with any conditions of the original permission.

The reasons that these proposals have been accepted as Non-Material Amendments is because the planning permission originally issued contained errors and to rectify the errors an amended decision notice with the correct outline and full planning conditions be issued and it can therefore be considered under section 96A of the Town and Country Planning Act 1990.

From the information submitted I am prepared to take the alterations as a Minor Amendment to planning application BE/102/17/OUT.

A copy of the amended decision notice is attached to this letter.

I trust this information is of assistance to you.

Yours sincerely

decnma

Neil Crowther  
Group Head of Planning

decnma



**Town & Country Planning Act 1990 (as amended)  
Town & Country Planning (Development Management  
Procedure) (England) Order 2015 - Article 5**

**Application for Planning Permission  
DECISION NOTICE**

Application Ref: BE/102/17/OUT

**1 To Addressee**

Mango Planning & Development Ltd  
Number One Waterton Park  
Waterton  
Bridgend  
CF31 3PH

**2 Site Address**

Salt Box Field  
Land off Rowan Way  
  
PO22 9NW

**3 Description of Development**

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.

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

The conditions below refer to the 'outline' matters within the planning application.

- 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 3 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 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 planning permission relates to the following approved plans:

Location Plan

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

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

1744-P03-B. Site Phasing Plan

1744-P04-C. Schedules

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.

- 5 Within Part 2 of the Salt Box development hereby permitted, the quantum of all non B1, B2 or B8 (storage and distribution) internal floor space shall not exceed 4,120 square metres (Gross Internal Area).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 6 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 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.

- 7 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.

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

Authority. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking spaces and cycle parking for the use; and 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.

- 9 No development shall take place 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.

- 10 No unit in Phase 2 shall be first occupied until a detailed Travel Plan covering that respective part of the development has been submitted to and approved in writing by the Local Planning Authority. The detailed Travel Plan once approved shall thereafter be implemented as specified within the approved document. The detailed 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.

- 11 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority, to include arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site.

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.

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. 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 needs to have adequate drainage.

- 12 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.

- 13 Development shall not commence, other than works of site survey an investigation, until details of the proposed means of foul sewerage system have been submitted to, and approved in writing by the Local Planning Authority in consultation with the statutory sewerage undertaker. This shall include details of its siting, design and subsequent management / maintenance. No unit shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

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 units are built and occupied.

- 14 No development shall take place, other than works of site survey and investigation, 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.

- 15 Development of a phase shall not commence until full details hard landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include:
- (a) proposed finished levels and/or contours,
  - (b) boundary details and means of enclosure,

- (c) car parking layouts,
- (d) other vehicle and pedestrian access and circulation areas,
- (e) hard surfacing areas,
- (f) minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.),
- (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include:
- (h) planting plans
- (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- j) schedules of plants noting species, planting sizes and proposed numbers/densities.

All hard soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

Reason: To ensure the provision and establishment of acceptable landscape in accordance with adopted Arun Local Plan Policy GEN7.

- 16 No ground clearance or vegetation clearance works shall take place within the bird nesting season (between 1 March and 31 August inclusive in any year unless a nesting bird check is carried out. This shall, be undertaken by a suitably qualified ecologist immediately prior to the works taking place. If any active nest sites are identified, these nests shall remain undisturbed until all the young have fledged naturally.

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 to protect the breeding birds during the construction works.

- 17 Prior to start on site a badger survey should be undertaken to ensure badgers are not using the site. If badgers are discovered on site, mitigation measures will need to be submitted and approved in writing by the LPA in liaison with Natural England and the approved works carried out by a professional ecologist.

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.

- 18 A Landscape and Management Plan is submitted for approval in writing by the Local Planning Authority, 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 in around the attenuation ponds adjacent to the Brook Local Nature Reserve (LNR), in the Village Buffer;
- ensure that mitigation measures are implemented to ensure that Bersted Brooks LNR adjacent to the site is not adversely affected by the industrial and commercial development on the Salt Box site;

- a 5 metre buffer, including planting to protect the water voles, is required around Shripney Manor Ditch;
- any gaps in tree lines or hedgerows should be filled in with native species;
- bat and bird boxes should be installed in the Village Buffer and the Ecology Buffer;
- grassland areas in the Village Buffer and the Ecology Buffer should be managed to benefit reptiles;
- log piles should be provided in the Ecology Buffer.

The approved details in the Landscape and Management Plan should be implemented in full prior to the occupation of Unit 2 and be maintained on site thereafter.

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.

19. Prior to the occupation 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 Phase 2 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. It is considered necessary for this to be a pre-commencement condition because the site security needs to be approved and implemented before the units are occupied.

20. Prior to the occupation of the Part 2, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities for the Part 2 Development, 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.

21. A Noise Report shall be submitted with the application for reserved matters and its recommendations for approval in writing by the Local Planning Authority and its recommendations shall be implemented prior to first occupation on the Part 2 Development.

Reason: In the interests of amenity, in accordance with adopted Local Plan Policy GEN7.

22. At least 10% of the energy supply of each unit shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework, March 2012). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the

approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with Policy GEN7 of the Arun District Local Plan.

- 23 Prior to the commencement of development details of the proposed external lighting shall be submitted and approved in writing by the Local Planning Authority. The lighting details should include:
- a) Details of zone E2 lighting luminaires (lux levels);
  - b) Mitigation measures to minimise potential glare and spillage;
  - c) Location of lighting columns;
  - d) Design and appearance of lighting columns; and
  - e) Timings of lighting (reduced coverage between 11.00pm and 7.00am).

The approved lighting system shall be implemented on site prior to first occupation and be retained thereafter.

Reason: To reduce light pollution, in the interests of amenity and the environment and to satisfy minimum security requirements, 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 light levels for the site need to be approved and implemented before the units are occupied.

- 24 Prior to the commencement of development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a unit, the provision of the highest available headline speed of broadband service to that unit from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to units that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To safeguard the amenities of occupants in accordance with Arun District Local Plan Policy GEN7 and Policy EE6 of the Bersted NP. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

## **INFORMATIVES**

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).

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.

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](mailto:PSOWestSussex@environment-agency.gov.uk)

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.

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](http://www.southernwater.co.uk)

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.

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.

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](http://www.parkmark.com)

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.

The conditions below refer to the 'full' matters within the planning application.

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

1744-PO5-B. Site Location Plan  
 1744-P01-C. Site Master Plan. Proposed Parameters Plan  
 1744-P02-D. Site Master Plan. Proposed Block Plan  
 1744-P03-B. 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  
 1744-P22 Salt Box Unit 2. Proposed First Floor & Roof Plan  
 1744-P23 Salt Box Unit 2. Proposed Elevations & Sections  
 1744-P24 Salt Box. Unit 2 Fuel Island  
 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  
 H1194-130 Site Access Plan  
 H1194-201-A Proposed Estate 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.

- 3 Prior to commencement details of the materials and external finishes of the building on Unit 2 including the provision of samples of such materials and finishes as required should be submitted to the Local Planning Authority for approval in writing. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To enable 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.

- 4 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.

- 5 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.

- 6 Unit 2 shall not be occupied until the car parking serving that Unit has been constructed in accordance with the approved plans and 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.

- 7 No development shall take place, other than works of site survey and investigation, 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 work commences on site, in accordance with Policy GEN7 of the Arun District Local Plan.

- 8 Unit 2 shall not be occupied until a detailed Travel Plan covering that respective part of the development has been submitted to and approved in writing by the Local Planning Authority. The detailed Travel Plan once approved shall thereafter be implemented as specified within the approved document. The detailed 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.

- 9 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority, to include arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site.

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.

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. 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 needs to have adequate drainage.

- 10 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of its siting, design and subsequent management / maintenance. No unit shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

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 unit is built and occupied.

- 11 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.

- 12 No development shall take place, other than works of site survey and investigation, 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.

- 13 Development shall not commence until full details of hard landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include:

- (a) proposed finished levels and/or contours,
- (b) boundary details and means of enclosure,
- (c) car parking layouts,
- (d) other vehicle and pedestrian access and circulation areas,
- (e) hard surfacing areas,
- (f) minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.),
- (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include:
- (h) planting plans
- (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- j) schedules of plants noting species, planting sizes and proposed numbers/densities.

All hard soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

Reason: To ensure the provision and establishment of acceptable landscape in accordance with adopted Arun Local Plan Policy GEN7.

- 14 No ground clearance or vegetation clearance works shall take place within the bird nesting season (between 1 March and 31 August inclusive in any year unless a nesting bird check is carried out. This shall, be undertaken by a suitably qualified ecologist immediately prior to the works taking place. If any active nest sites are identified, these nests shall remain undisturbed until all the young have fledged naturally.

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 to protect the breeding birds during the construction works.

- 15 Prior to commencement a badger survey should be undertaken to ensure badgers are not using the site. If badgers are discovered on site, mitigation measures will need to be submitted and approved in writing by the LPA in liaison with Natural England and the approved works carried out by a professional ecologist.

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.

- 16 A Landscape and Management Plan is submitted for approval in writing by the Local Planning Authority, 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 in around the attenuation ponds adjacent to the Brook Local Nature Reserve (LNR), in the Village Buffer (as identified in 1744-P02-D. Site Master Plan. Proposed Block Plan);

- ensure that mitigation measures are implemented to ensure that Bersted Brooks LNR adjacent to the site is not adversely affected by the industrial and commercial development on the Salt Box site;
- a 5 metre buffer, including planting to protect the water voles, is required around Shripney Manor Ditch;
- any gaps in tree lines or hedgerows should be filled in with native species;
- bat and bird boxes should be installed in the Village Buffer and the Ecology Buffer adjoining Bersted Brooks Local Nature Reserve (as identified in 1744-P02-D. Site Master Plan. Proposed Block Plan);
- grassland areas in the Village Buffer and the Ecology Buffer adjoining Bersted Brooks Local Nature Reserve should be managed to benefit reptiles;
- log piles should be provided in the Ecology Buffer adjoining Bersted Brooks Local Nature Reserve (as identified in 1744-P02-D. Site Master Plan. Proposed Block Plan).

The approved details in the Landscape and Management Plan should be implemented in full prior to the occupation of Unit 2 and be maintained on site thereafter.

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.

- 17 Prior to the commencement of development of Unit 2 a CCTV strategy (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 Unit 2 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. It is considered necessary for this to be a pre-commencement condition because the site security needs to be approved and implemented before the units are occupied.

- 18 Prior to the occupation of Unit 2, 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.

- 19 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. It is considered

necessary for this to be a pre-commencement condition to ensure the acoustic barriers are visually acceptable and are installed before the unit is occupied.

- 20 Unit 2 shall not be occupied until details of the footpath connections between the Salt Box site and the Bersted Brooks Local Nature Reserve and the Rowan Park Caravan Site have been submitted to and been approved in writing by the Local Planning Authority.

Reason: To ensure connectivity between the Salt Box site, the Bersted Brooks Local Nature Reserve (LNR), and the public rights of way network, in accordance with Policy GEN7 of the Arun District Local Plan.

- 21 Prior to the commencement of development details of the proposed external lighting shall be submitted and approved in writing by the Local Planning Authority. The lighting details should include:
- a) Details of zone E2 lighting luminaires (lux levels);
  - b) Mitigation measures to minimise potential glare and spillage;
  - c) Location of lighting columns;
  - d) Design and appearance of lighting columns; and
  - e) Timings of lighting (reduced coverage between 11.00pm and 7.00am).

The approved lighting system shall be implemented on site prior to first occupation and be retained thereafter.

Reason: To reduce light pollution, in the interests of amenity and the environment and to satisfy minimum security requirements, in accordance with Policy GEN7 of the Arun District Local Plan. It is considered necessary for this to be a pre-occupation condition because the light levels for the site need to be approved and implemented before the units are occupied.

- 22 Prior to the commencement of development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a unit, the provision of the highest available headline speed of broadband service to that unit from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to units that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To safeguard the amenities of occupants in accordance with Arun District Local Plan Policy GEN7 and Policy EE6 of the Bersted NP. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

## **INFORMATIVES**

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).

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.

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](mailto:PSOWestSussex@environment-agency.gov.uk)

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.

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](http://www.southernwater.co.uk)

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.

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 NPPF.

Case Officer: Michael Eastham

Date of Decision: **22 December 2017**



Neil Crowther  
Group Head of Planning

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

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



## APPEALS TO THE SECRETARY OF STATE

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

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

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

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 00303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

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

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

## PURCHASE NOTICES

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

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

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

