

Recommendation Report for Planning Permission

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| REF NO:   | BE/27/20/PL                                                                                                                                                                                                                                                                                 |
| LOCATION: | Land at Salt Box<br>West of Shripney Road<br>Bersted                                                                                                                                                                                                                                        |
| PROPOSAL: | Creation of temporary soil storage bund & haulage route associated with development of adjoining site at Saltbox (resubmission following BE/38/19/PL). This application may affect the character & appearance of the Shripney Conservation Area & is a Departure from the Development Plan. |

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| SITE AND SURROUNDINGS |
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| DESCRIPTION OF APPLICATION | This planning application is for the provision of a temporary storage bund comprising of inert topsoil on farmland west of the Salt Box site; it is a re-submission following the withdrawal of planning application BE/38/19/PL. The inert topsoil would be generated by the ground works related to the employment and commercial development granted planning permissions (BE/102/17/OUT and BE/135/18/PL) on the Salt Box site. The field, which is the subject of this application, is accessed via an existing farm gate directly from the Salt Box site.                                                                                                                                                                                                                                                                                                  |
| SITE AREA                  | 1.85 Hectares                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| TOPOGRAPHY                 | Predominantly flat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| TREES                      | None of any significance affected by the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| BOUNDARY TREATMENT         | The site boundaries have hedgerows interspersed with trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| SITE CHARACTERISTICS       | The site comprises agricultural land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| CHARACTER OF LOCALITY      | <p>The application 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.</p> <p>To the north of the application site is farmland and beyond is the village of Shripney which has a Conservation Area. To the east is the Salt Box site and beyond is the A29 (Shripney Road). To the east of the A29 (Shripney Road) 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 and west of the application site is the Bersted Brooks Local Nature Reserve (LNR).</p> |

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| <b>RELEVANT SITE HISTORY</b> |
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|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| BE/135/18/PL  | Hybrid application comprising of outline application for the principle of employment uses B1-B8.<br>Full application for Class B8 warehouse with fuel island & car parking (Unit 2), 2 No. Class B1/B8 employment units with associated parking & servicing (Units 6 & 7), Class A1 retail food store with car parking & servicing (Unit 8), 2 No. drive thru units with car parking & servicing (Units 4 & 5), car showroom, workshops (Including MOT testing), vehicle storage, external display areas, service areas & parking (Unit 9) together with access roads, associated ground & engineering works, landscaping & ancillary works. This application affects the character & appearance of the Shripney Conservation Area & a Public Right of Way. | App Cond with S106<br>08-11-19 |
| BE/102/17/OUT | 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.                                                                                                                                                                                                                                                                                                                 | App Cond with S106<br>22-12-17 |
| BE/38/19/PL   | Creation of temporary soil storage bund associated with development of adjoining site at Salt Box                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Withdrawn<br>02-10-19          |

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| <b>REPRESENTATIONS</b> |
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**REPRESENTATIONS RECEIVED:**

Bersted Parish Council

No objection.

A letter of representation has been received from a local resident objecting to the proposed development on the following grounds:

- No Flood Risk Assessment has been submitted.
- The site is in close proximity to residential areas and to Bersted Brooks Local Nature Reserve.
- Noise and dust would be generated and the site drainage would be altered.
- This must not result in a permanent change in land use to commercial development on the site.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted and issues addressed in the Conclusions section below.

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| <b>CONSULTATIONS</b> |
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WSCC Strategic Planning  
 Environmental Health  
 Engineering Services Manager  
 Engineers (Drainage)  
 Environment Agency  
 Parks and Landscapes  
 Arboriculturist  
 Conservation Officer  
 Ecology Advisor  
 Surface Water Drainage Team

**CONSULTATION RESPONSES RECEIVED:****LOCAL HIGHWAY AUTHORITY:**

No objection.

**ENVIRONMENT AGENCY:**

No objection.

Although a Flood Risk Assessment (FRA) should have been provided to comply with the NPPF (paragraph 163, footnote 50) as the site access is partially located in Flood Zone 3, the route across to the Salt Box site would not be formalised; and the temporary topsoil storage bund would be located in Flood Zone 1 and it would be 8 metres away from any watercourses.

**LEAD LOCAL FLOOD AUTHORITY:**

No objection.

This is due to the low surface water flood risk of the site and the nature of the proposed works.

**ADC DRAINAGE ENGINEERS:**

No objection.

The stockpile of inert topsoil would not be covered and therefore drainage provision would not be required around its perimeter. The proposal involves an existing farm track that crosses culverts on the 'main river' section of watercourse and the 'ordinary' watercourse. Strengthening works may be required on the ordinary watercourse culvert, which would need to be agreed with ADC Drainage Engineers. Any works to the main river culvert would need to be agreed with the Environment Agency.

**ADC ENVIRONMENTAL HEALTH:**

No objection.

The proposed stockpile should be separated from the underlying soil/material (using, for example, a suitable barrier and/or membrane). If planning permission is granted, a condition is required controlling the hours of activity at the site to protect the amenity of local residents; together with a condition requiring the submission of a dust management plan, including an assessment of the nearest sensitive receptor(s) and detailing dust mitigation measures.

**ADC ECOLOGICAL ADVISOR:**

No objection.

An 8.0 metre easement / buffer area would need to be included between the stockpile and the southern and eastern field boundaries. Fencing should be used to protect the boundary features to ensure no works encroach on these areas and should tie in with the construction fencing required for the existing planning permission for the Salt Box site. The above mitigation measures which were proposed in the Technical Briefing Note (April 2020) are suitable and should be conditioned.

**ADC CONSERVATION OFFICER:**

There are no designated heritage assets within the site, there is a conservation area to the north, which contains a number of Listed Buildings and Locally Listed Buildings. Apart from Shripney Manor, the other listed buildings are located to the north of Shripney Lane; and form a tight group of cottages. The fields to the southern boundary of the Conservation Area, along with tree screening which is provided by extensive vegetation along the southern edge of the village and the grounds of Shripney Manor reduce the impact of the development upon the heritage assets. The temporary nature of the proposed development, along with the landscape/vegetation would ensure that the proposal would have a neutral impact upon the heritage assets. It is therefore considered that, on balance, the proposal would not harm the individual listed buildings, or the conservation area.

**ADC GREENSPACE:**

No objection.

The visual impact of the proposed bund, due to the temporary nature of the works and the existing established vegetation structure, should not pose significant harm to the landscape and visual environment. The maximum height of the bund of no greater than 3.0m x 40m wide x 108m long with 1:2.5 batter should be conditioned.

**ADC ARBORICULTURAL OFFICER:**

No objection.

The revised Landscape and Visual Technical Briefing Note, June 2020, confirms the route of heavy plant across the site and around the stock-pile; the full extent of the extended 8.0 metre exclusion zone; and the extent of hedgerow removal at field access points, so that the retained on / off site trees and hedgerows will not be negatively impacted throughout the development and the contents of the Briefing Note should be included in a condition.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted and issues addressed in the Conclusions section below.

**POLICY CONTEXT**

Designation applicable to site:

Outside the Built-up Area Boundary (BUAB) in the Local Plan.

Within the Countryside in the Local Plan.

**DEVELOPMENT PLAN POLICIES**

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

|        |                                          |
|--------|------------------------------------------|
| CSP1   | C SP1 Countryside                        |
| DDM1   | D DM1 Aspects of form and design quality |
| DSP1   | D SP1 Design                             |
| ENVDM4 | ENV DM4 Protection of trees              |
| ENVDM5 | ENV DM5 Development and biodiversity     |

|        |                                          |
|--------|------------------------------------------|
| ENVSP1 | ENV SP1 Natural Environment              |
| HERDM3 | HER DM3 Conservation Areas               |
| HERDM6 | HER DM6 Sites of Archaeological Interest |
| HERSP1 | HER SP1 The Historic Environment         |
| QEDM1  | QE DM1 Noise Pollution                   |
| QESP1  | QE SP1 Quality of the Environment        |
| SDSP1  | SD SP1 Sustainable Development           |
| SODM1  | SO DM1 Soils                             |
| TSP1   | T SP1 Transport and Development          |
| WDM1   | W DM1 Water supply and quality           |
| WDM2   | W DM2 Flood Risk                         |
| WDM3   | W DM3 Sustainable Urban Drainage Systems |
| WSP1   | W SP1 Water                              |

|                                                            |                                                   |
|------------------------------------------------------------|---------------------------------------------------|
| <a href="#">Bersted Neighbourhood Plan 2014 Policy ES1</a> | Design of new development                         |
| Bersted Neighbourhood Plan 2014 Policy ES2                 | Surface water management                          |
| Bersted Neighbourhood Plan 2014 Policy ES7                 | Development outside of the Built Up Area Boundary |

#### PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

#### POLICY COMMENTARY

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

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

The Neighbourhood Development 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.

Relevant Bersted Neighbourhood Plan (NP) policies have been taken account of and are addressed in the Conclusions section of this report.

#### 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 development of a temporary topsoil storage bund in the countryside is considered to comply with relevant Development Plan policies.

#### OTHER MATERIAL CONSIDERATIONS

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

#### CONCLUSIONS

##### PRINCIPLE

This proposed development is required to accommodate the removal of inert topsoil from across the Salt Box site, which has planning permissions for the mixed use development on the site (BE/102/17/OUT and BE/135/18/PL). Development has not commenced on the Salt Box site.

It is proposed to stockpile the inert topsoil on the site for a period of 5 years, after which the land would be restored to its former condition. The principle of the development of a stockpile of inert topsoil is only acceptable as it is for a temporary period of 5 years; and a time limited condition must be imposed to ensure this. The existing field boundaries would be retained as existing; and access to the stockpile would be via the existing gate to the Salt Box site and the gate at the south western corner of field number 5376.

The current planning application (BE/27/20/PL) is for the temporary storage of up to 10,000 cubic metres of inert topsoil in a rectangular shaped stockpile which would measure 108 metres long by 40 metres wide by 3.0 metres high, with a 1:2.5 metre batter around the perimeter of the stockpile. The proposal would maintain an 8.0 metre buffer to all watercourses save for the crossing point at the Salt Box site gate.

The depth of the topsoil on the Salt Box site is less than originally calculated and therefore the volumes are lower than previously anticipated. This current proposal (BE/27/20/PL) reduces the scale of the storage stockpile and its location, west of the Salt Box site is outside the floodplain. The previously withdrawn planning application (BE/38/19/PL) was for the construction of a temporary stockpile of inert topsoil which would have measured 100 metres long by 80 metres wide by 3.0 metres high, comprising of 24,000 cubic metres of inert topsoil, with a 1:2.5 metre batter around the perimeter of the stockpile. The previous withdrawn planning application was for the storage of the inert topsoil on land immediately adjacent to the Salt Box site.

The inert topsoil would be removed from the stockpile over time as appropriate destinations are identified for its re-use. Some of the remaining inert topsoil would be transported to the adjacent farms which are owned by the applicant, for blending with other soil materials and used as a growing medium on the farmland.

##### AGRICULTURAL LAND

The site is identified as Grade 2 agricultural land. Grade 1 and 2 are classified as 'best and most versatile' (BMV) land which is the most flexible, productive and efficient. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. The Local Plan's Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land. The loss of BMV is one factor in the decision making process.

The current planning application is seeking to preserve the soils from the Salt Box site and return them to agricultural use, which is what the supporting text (paragraph 11.1.6) sets out we should be achieving for

sites. The supporting text also refers to the permanent loss of agricultural land. The proposed development would not result in the permanent loss of agricultural land; consequently it is considered that as it is not permanent then Policy SO DM1 does not apply. Also, as the development is associated with agriculture, as the topsoil would be used on surrounding farmland, with some of the topsoil being re-used in the landscaping of the Salt Box site, in which case it would be acceptable. Overall, the proposed development would not result in the permanent loss of the agricultural land, and consequently, it is considered to be permissible as the proposed development is only for a temporary period of 5 years; after which the site would be restored to its previous agricultural use. A proportion of the stockpiled soil would be applied to farmland owned by the applicant in the immediate locality, whilst the remainder would be transported off-site.

The topsoil that would be deposited in the stockpile on the application site would be sourced from the topsoil that is on the Site Box site, which is used for growing crops by the owner of the land on an annual basis. It is considered necessary to ensure that the bund material is kept separate from the underlying topsoil to prevent cross-contamination, by means of a condition requiring the submission of a soil resources plan. It is considered that Policy SO DM1 of the Local Plan does not apply and that, subject to a time limited condition of 5 years, the temporary use of the land as a topsoil storage bund would be acceptable and the land would revert back to and be retained for agricultural use into the long term, once the temporary stockpile had been removed from the site.

#### **FLOODING**

Three main rivers are located in the vicinity of the application site:

- Aldingbourne Rife, approximately 300 metres to the east;
- Lidsey Rife, 700 metres to the east; and
- Shripney Manor Ditch which forms the boundary to the east of the site.

The proposed temporary stockpile of topsoil would be located within Flood Zone 1; and would be 8 metres away from any watercourses. Flood Zone 1 is not an area at risk from flooding.

The existing farm track which would form the access from the application site to the Salt Box site is in Flood Zone 3; but no works are proposed to formalise this access route, which would be maintained as a farm track. Following consultation with the Environment Agency it was deemed that an FRA was not needed as the stockpile falls within Flood Zone 1 and there are no works proposed to the access route which is the only part of the site in Flood Zone 3.

Consequently, it is considered that the proposed development did not need to be assessed against Policy W DM2 of the Local Plan, Policy ES2 of the Bersted NP and with the National Planning Policy Framework (paragraph 163, footnote 50).

#### **SURFACE WATER DRAINAGE**

It has been confirmed with ADC Drainage Engineers that the stockpile of inert topsoil would not be covered, therefore there is no requirement for any surface water drainage conditions to be imposed. Consequently, there is no issue with surface water drainage regarding the stockpile, as the stockpile is not going to be covered and it is not within a surface water flood path; consequently, it will have no impact upon surface water.

#### **HIGHWAYS AND TRANSPORT**

The proposed development includes the movement of topsoil from the Salt Box site onto the application site along the farm track via the existing field gate at the south western corner of field number 5376. As the inert topsoil would be removed from the stockpile and transported on the highway over a 5 year period, the impact of vehicle movements on the highway network would be minimal. In addition, as some of the remaining inert topsoil would be transported to the adjacent farms which are owned by the

applicant, for blending with other soil materials and used as a growing medium on the farmland; this would include localised vehicular movements on the local road network, which are considered to be acceptable.

Consequently, the proposed temporary stockpiling of inert soil on land west of the Salt Box site, would result in a reduction in the number of HGVs exiting the site and accessing the highway network during the initial ground works and the construction works for the development on the Salt Box. It is considered that the proposed development would be in accordance with Policy T SP1 of the Local Plan.

#### **LANDSCAPE AND VISUAL IMPACT**

A revised Landscape and Visual Technical Briefing Note has been submitted which assesses the height and scale of the proposed stockpile in its proposed location.

It is considered that, as the stockpile of inert topsoil would only be present on the site for a temporary period of five years; and the height of the stock pile would be 3.0 metres high; and that the field in which the application site is relatively well screened from the surrounding area by hedgerows and hedgerow trees, the proposed stockpile would not pose significant harm to the landscape and visual environment.

However, a condition is required limiting the height of the stockpile to 3.0 metres high x 40m wide x 108m long with 1:2.5 batter to ensure the stockpile would not pose a significant harm to the landscape.

Topsoil and subsoil stripping operations should not allow for contamination by each other and the careful management at soil handling stage should be employed to ensure that this is the case. To ensure that no contamination takes place, a condition is required for the submission of a soil resources plan.

Consequently, subject to conditions limiting the height of the stockpile to 3.0 metres with 1:2.5 batter and requesting the submission of a soil resources plan, it is considered that the proposed development is acceptable and it complies with Policy D DM1 of the Local Plan.

#### **TREES**

The ADC Arboricultural Officer initially objected to the proposed development due to the lack of information which would ensure the trees and hedgerows on the site would be retained. However, the objection was withdrawn following the submission of a revised Landscape and Visual Technical Briefing Note, which contained the requisite information.

The revised Technical Briefing Note confirms the route of heavy plant across the site and around the stock-pile; the full extent of the extended 8.0 metre exclusion zone; and the extent of hedgerow removal at field access points, so that the retained on / off site trees and hedgerows will not be negatively impacted throughout the development.

Consequently, it is considered that, subject to a condition regarding the implementation of the recommendations in the revised Landscape and Visual Technical Briefing Note to ensure the retained trees and hedgerows will not be negatively impacted, the proposed development is acceptable on arboricultural grounds and it complies with Policy ENV DM4 of the Local Plan.

#### **BIODIVERSITY**

The National Planning Policy Framework (NPPF) and development plan policies indicate that a development likely to have an adverse effect, either directly or indirectly on a Local Nature Reserve (LNR) and Site of Nature Conservation importance (SNCI) such as ancient woodlands or wildlife corridors will not be permitted.

The Bersted Brooks Local Nature Reserve (LNR) is located to the south and west of the application site.

An Ecological Technical Briefing Note has been submitted with the planning application (BE/27/20/PL) which includes two recommendations, which are supported by the ADC Ecological Advisor. The recommendations comprise the maintenance of suitable easements / buffers around the topsoil stockpile and associated working area (including a minimum of 8 metres from existing field boundary vegetation); and the use of suitable protective fencing to further prevent encroachment towards existing boundary vegetation. It is considered that these recommendations be conditioned.

It is considered that, subject to a condition setting out the ecological recommendations, the proposed development would not adversely affect the Bersted Brooks LNR, which is located adjacent to the site. Consequently, the proposed development would comply with Policy ENV DM5 of the Local Plan and the NPPF.

#### HERITAGE ASSETS

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.

No heritage statement has been submitted with the planning application for the creation of a temporary soil storage bund. There are a number of heritage assets within Shripney Village Conservation Area including a mixture of Grade II and II\* Listed Buildings, and various locally listed buildings. The site itself does not contain any designated heritage assets. A number of existing field boundaries with trees and high hedgerows separate the Conservation Area from the site which means that there is no inter-visibility between the two.

The proposed inert topsoil bund would be located in relatively close proximity to the Conservation Area. The existing trees and hedgerows form a very effective visual screen, screening the application site from views from the Shripney Village Conservation Area. As a consequence, it is considered that the proposal will not harm the heritage significance of the Conservation Area. In conclusion it is considered that the proposed development will not harm the significance of the heritage assets due to their location and the lack of inter-visibility between them. Consequently, the application should be determined in accordance with the relevant policies within the Development Plan.

It is considered in visual terms that only limited effects on the Conservation Area and the Listed Buildings are likely to arise as a consequence of the proposed development and that due to the temporary nature of the proposed storage bund and its limited height of 3.0 metres that it is acceptable and it complies with Policy HER SP1 and Policy HER DM3(f) of the Local Plan.

#### NEIGHBOURING RESIDENTIAL AMENITY

The main consideration for this site is the potential disturbance impact on Shripney Village and Rowan Park Caravan Park. It is considered that a dust mitigation condition is required to ensure that dust from the stockpile does not affect local residents. A separate condition is required to restrict the working hours so as to ensure that the proposed development does not have an adverse impact on neighbouring residential amenity. The wording of the condition will need to comply with the hours set out in Condition 31 which was imposed on the full planning permission (BE/135/18/PL) on the Salt Box site.

It is considered that, subject to conditions regarding dust mitigation measures and restricting the working hours, the proposed development is acceptable in terms of neighbouring residential amenity, in accordance with Policy QE SP1 of the Local Plan.

#### SUMMARY

The proposed temporary storage of inert topsoil from the Salt Box site, for a period of 5 years is considered to be acceptable and in accordance with Policy D DM1, Policy QE SP1, Policy ENV DM4, Policy ENV DM5, Policy T SP1, Policy HER SP1 and Policy HER DM3 of the Local Plan.

It is recommended that, having regard to the above assessment, that planning permission is granted, subject to appropriate and reasonable conditions, including a time limited condition of 5 years.

## **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.

## **RECOMMENDATION**

### **APPROVE CONDITIONALLY**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission; and the Local Planning Authority must be notified in writing on commencement of the development.

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

- 2 The use of land hereby permitted shall be discontinued permanently and the land restored to its former condition on or before the expiration of the 5 year period from the commencement of development.

Reason: The Local Planning Authority would not normally grant permission for such a development in this location but under the circumstances prevailing it is considered reasonable to make an exception in this instance and to allow the development for a limited period, in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 3 The stock-pile of inert topsoil and the compound area identified on Drawing No. 1744-TS-P02-

F - Topsoil Relocation Site Plan in the Landscape & Visual Technical Briefing Note, (Ref. 5920.BN.003), 2nd June 2020; the protective fencing around the existing boundary vegetation shall be removed from the site; and the site shall be restored back to agriculture within 5 years from the commencement of development.

Reason: To ensure the development is for a limited period and that the land is restored, in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 4 The development hereby approved shall be carried out in accordance with the following approved drawings and submitted material:

- Drawing No. 1744-TS-P01-D - Location Plan
- Drawing No. 1744-TS-P02-E - Site Plan

- Landscape & Visual Technical Briefing Note, (Ref. 5920.BN.003), prepared by Aspect Landscape Planning Ltd, 2nd June 2020.

- Technical Briefing Note: Ecological Consideration of Proposed Topsoil Relocation / Stockpile (Ref. 1004567 BN02 SSE1 vf), Aspect Landscape Planning Ltd, April 2020.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 5 The height of the stockpile of inert topsoil shall be restricted to 3.0 metres in height, with 1:2.5 batter, to ensure the stockpile would not pose a significant harm to the landscape.

Reason: In the interests of visual amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 6 Within one month of the date of this permission a soil resources plan demonstrating how the soil resource will be preserved shall be submitted to the Local Planning Authority for approval in writing, to ensure that topsoil and subsoil stripping operations should not allow for contamination by each other. Thereafter, the approved soil resources plan shall be implemented and adhered to throughout the 5 year development hereby permitted.

Reason: To protect the structural integrity of the topsoil, in accordance with Policy SO DM1 of the Arun Local Plan.

- 7 Within one month of the date of this permission details of the dust suppression measures shall be submitted to the Local Planning Authority for approval in writing. The dust suppression measures will mitigate the impact of the development on the neighbouring residents of Shripney Village and the visitors at the Bersted Brooks Local Nature Reserve (LNR). Thereafter, the approved dust suppression measures shall be implemented and adhered to throughout the 5 year development hereby permitted.

Reason: To protect the amenity of local residents and the visitors at the Bersted Brooks Local Nature Reserve (LNR) and the environment in accordance with Policy QE SP1 of the Arun Local Plan.

- 8 No works shall take place except between the hours of 08.00 - 17.00 hours (Monday to Saturday). No works shall take place on Sunday and Public Holidays.

Reason: To protect neighbouring residential amenity, in accordance with Policy D DM1 of the Arun Local Plan.

- 9 The development hereby approved shall be carried out in accordance with the Landscape &

Visual Technical Briefing Note, (Ref. 5920.BN.003), prepared by Aspect Landscape Planning Ltd, 2nd June 2020 including Drawing No. 1744-TS-P02-F - Topsoil Relocation Site Plan and the Technical Briefing Note: Ecological Consideration of Proposed Topsoil Relocation / Stock-pile (Ref. 1004567 BN02 SSE1 vf), Aspect Landscape Planning Ltd, April 2020, in terms of the following:

- the route of heavy plant across the site and around the stock-pile;
- the maintenance of suitable easements / buffers around the topsoil stockpile and associated working area (including the 8.0 metre exclusion zone from the existing field boundary vegetation;
- the trees and hedgerows that are to be retained on / off site will be protected throughout the development; and
- the provision of suitable protective fencing to further prevent encroachment towards existing boundary vegetation.

Reason: To ensure the protection of the trees and the wildlife on the site and in the immediate vicinity, in accordance with Policy ENV DM4 and Policy ENV DM5 of the Arun Local Plan.

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

11      INFORMATIVE: The proposal involves a haulage road crossing existing culverts on the 'main river' section of watercourse and the 'ordinary' watercourse. Strengthening may be required to the ordinary watercourse culvert, in which case, the proposals will need to be agreed with ADC Engineers. Any works to the 'main river' culvert will need to be agreed with the Environment Agency.