

Henry Adams LLP
Rowan House
Baffins Lane
Chichester
PO19 1UA

Date: 15th September 2026

Please ask for: Simon Brooksbank
Tel: 01903 737881

Your Ref:

Our Ref: BE/49/26/DOC

Dear Mrs Appleton,

Town & Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015

Approval of details reserved by condition under BE/13/24/S73 (amended by BE/77/25/NMA) relating to conditions 9- Contamination, 12- Noise Assessment, 16- Lighting Scheme, 26- Arboricultural Impact Assessment and Method Statement, 28- Reptile Mitigation, 31- Biodiversity Enhancement Measures, 33- Fire Hydrant/Stored Water Supply, 35- Broadband Provision and 36- Employment and Skills Plan.

Chalcroft Nurseries Chalcraft Lane Bersted PO21 5TS

Notification regarding the above application:

Condition Number 12

Construction work shall not commence unless and until an impact assessment of the noise from the development on occupants of existing nearby residential properties and future occupants of the new residential properties has been completed and submitted to and approved in writing by the Local Planning Authority. The impact assessment shall include noise from deliveries and operation of the development and shall include a noise mitigation scheme. The assessment shall have regard to the principles of BS 4142:2014 and achieve a difference between the measured 'rating' level and the measured 'background' level of at least 5dB(A). A test to demonstrate compliance with the noise mitigation scheme shall then be undertaken by a competent acoustician / consultant before the use commences.

Reason: To protect the amenity of local residents in accordance with Policies QE SP1 and QE DM1 of the Arun Local Plan. This planning condition is required to be pre-commencement to ensure an assessment of noise impacts from development and measures to mitigate impacts are secured prior to works commencing.

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**
Environmental Health Officers were consulted on the discharge of Condition 12 (Noise Assessment) attached to planning permission BE/13/24/S73, as amended by BE/77/25/NMA.

Based on the information submitted, the Sound Impact Assessment does not assess the potential effects on occupants of existing nearby residential properties, nor does it include a noise mitigation scheme. Consequently, there is insufficient information to demonstrate that the proposed development would not result in unacceptable noise impacts on existing residents.

Given that existing residential properties may be affected by all phases of the development, the information provided is insufficient to satisfy the requirements of Condition 12. Until these matters have been satisfactorily addressed, Condition 12 cannot be discharged. Accordingly, the application to discharge the condition is refused.

This assessment is based on the below submitted document:

Sound Impact Assessment (Dated 30/07/26)

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC', followed by a small dot.

Neil Crowther
Group Head of Planning