

**From:** Amanda Scholes on behalf of Planning.Responses  
**Sent:** 01 July 2020 09:56  
**To:** Planning Scanning  
**Subject:** FW: Planning Consultation on: BN/50/20/PL

Amanda Scholes | Receptionist, Department, [Arun District Council](#) | Location: Ground Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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**From:** Joanne Lewis <[Joanne.Lewis@arun.gov.uk](mailto:Joanne.Lewis@arun.gov.uk)>  
**Sent:** 30 June 2020 16:37  
**To:** Planning.Responses <[Planning.Responses@arun.gov.uk](mailto:Planning.Responses@arun.gov.uk)>  
**Subject:** FW: Planning Consultation on: BN/50/20/PL

Further to my earlier comments the contaminated land officer has now reviewed the submitted reports and recommends the following condition is included;

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

**Reason:** To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 – 2031

**Joanne Lewis**  
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**From:** Joanne Lewis  
**Sent:** 18 June 2020 07:17  
**To:** Planning.Responses <[Planning.Responses@arun.gov.uk](mailto:Planning.Responses@arun.gov.uk)>  
**Subject:** RE: Planning Consultation on: BN/50/20/PL

I have no major objections to this development in principle, however there are a number of issues which should be dealt with by condition to ensure there is no loss of amenity to the future occupiers of the development or existing local residents. If these conditions are not imposed the likelihood of noise, odour and light affecting residential amenity is a real possibility.

### **Contaminated Land**

This site is adjacent to an area of land which has been identified as potentially contaminated. The applicant has submitted reports to address concerns, however our contaminated land specialist is still reviewing them and further comments on this aspect of the application will follow shortly.

### **Noise**

The submitted noise report identifies that some of the properties will be affected by noise from road traffic on the A29 and will require mitigation measures in order to ensure that suitable noise levels and adequate ventilation can be achieved.

The submitted noise assessment; *Proposed residential development at land west of Fontwell Avenue, Eastergate, Road Traffic Noise Assessment by Hepworth Acoustics Ltd report no: P20-188-R01v1 dated April 2020* sets out in Section 4 and Figure 1 the required glazing levels in the different plots which will be required to achieve the internal noise levels set out in BS8233: 2014 Guidance on sound insulation and noise reduction for buildings. I would therefore strongly recommend the following condition;

- The use hereby permitted shall include the sound insulation scheme, recommended by the report *Proposed residential development at land west of Fontwell Avenue, Eastergate, Road Traffic Noise Assessment by Hepworth Acoustics Ltd report no: P20-188-R01v1 dated April 2020, sections 4.5, 4.6, 4.7, 4.8 and Figure 1*. Following implementation of the insulation scheme, a test shall be undertaken to demonstrate that the attenuation measures carried out have achieved the "Indoor ambient noise levels for dwellings" guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 and the "Design criteria for external noise" upper guideline value of 55 dB  $L_{Aeq,T}$  as specified within section 7.7.3.2 of BS 8233:2014. The use of the development shall not commence until test results, demonstrating the minimum sound insulation criteria has been achieved, has been submitted to and approved by the local planning authority.

### **Odour**

The submitted design and access statement states that "the southern boundary of the site has equestrian uses including a riding school/ manege" and I therefore have concerns that odour from such an activity

could affect the amenity of the occupiers of the proposed development. I would therefore recommend the following condition;

- No development shall commence until an odour assessment has been undertaken to determine the impact of odour from the nearby riding school/manege. The results of the assessment and details of a scheme of mitigation measures necessary to ensure an appropriate level of amenity within habitable rooms and garden areas shall be submitted and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details. The assessment shall be conducted by a suitably qualified odour assessor and be carried out in line with the Institute of Air Quality Managements 'Guidance on the assessment of odour for planning.'

**Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 – 2031

## **Air Quality**

This development is classed as a major application and is adjacent to a major road where poor air quality caused by road traffic could affect the proposed occupiers and additional traffic from the development could cause the air quality to deteriorate. An air quality assessment is therefore required and I recommend the following condition;

- As this is a major application, consideration must be given to air quality issues. As per the National Planning Policy Framework (NPPF) (updated February 2019) air quality should be considered at the design stage and incorporate appropriate and effective mitigation.

The applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2020), available at:

<http://www.sussex-air.net/Reports/SussexAQGuidanceV.12020.pdf>

This countywide adopted guidance states that where a major sized development is proposed a number of checklists should be followed in order to determine the likely impact of the proposed development on air quality. The intention of the guidance is to identify any air quality impacts through an impact assessment and ensure the integration of appropriate mitigation into a scheme at the design stage, so the damage costs on health can be properly mitigated. The air quality impact assessment can follow the procedures contained within the Institute of Air Quality Management (IAQM) Guidance entitled: 'Land-Use Planning & Development Control: Planning For Air Quality' (January 2017), available at:

<http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

**Reason:** To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

The application suggests that electric vehicle charge points will be installed but no detail is provided, in order to ensure that provision for charging electric vehicles is sufficient I would recommend the following condition;

- Prior to occupation of any of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working condition.

**Reason:** New petrol and diesel cars / vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

## **Construction**

In order to protect the amenity of nearby residents during the construction phase I would recommend the following conditions;

- No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
  - a) An indicative programme for carrying out of the works;
  - b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
  - c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
  - d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
  - e) The parking of vehicles of site operatives and visitors;
  - f) Loading and unloading of plant and materials, including permitted times for deliveries;
  - g) Storage of plant and materials used in constructing the development;
  - h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - i) 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 Regulations Orders);
  - j) Measures to control the emission of dust and dirt during construction;
  - k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

**Reason:** To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

- No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no 'noisy' work on Sunday or Bank Holidays

**Reason:** To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 – 2031

## **Lighting**

The application does not provide sufficient detail on the lighting scheme for the development so in order to protect the amenity of the future occupiers I would recommend the following condition;

- Details of the proposed lighting scheme for the development shall be provided and approved by the Arun Local Planning Authority before installation. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011). Prior to occupation, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in the scheme are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed within the application scheme. The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

## Informative

The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on (01903) 737555

### Joanne Lewis

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Technical Services

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**From:** Planning Responses <[Planning.Responses@arun.gov.uk](mailto:Planning.Responses@arun.gov.uk)>

**Sent:** 19 May 2020 09:20

**To:** EH Planning Consultations <[EHPlanningConsultations@arun.gov.uk](mailto:EHPlanningConsultations@arun.gov.uk)>

**Subject:** Planning Consultation on: BN/50/20/PL

**To:** Environmental Health - Planning consultation

## NOTIFICATION FROM ARUN DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)

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

## Planning Permission

**Application No:** BN/50/20/PL

**Registered:** 18th May 2020  
**Site Address:** Land west of Fontwell Avenue Fontwell Avenue Eastergate PO20 3RX  
**Grid Reference:** 494714 106230  
**Description of Works:** Demolition of existing structures onsite & erection of 42 No. dwellings with access, parking, landscaping & associated works. This application is a Departure from the Development Plan.

The Council have received the above application.

[Click here to view the application details](#)

This application has been identified as CIL Liable. Therefore please be aware that, in accordance with Appendix 2 of the Arun CIL Charging Schedule, your consultation response should only include requests for Section 106 for onsite mitigation, Pagham Harbour Management Contributions (if applicable) or Affordable Housing. Off Site mitigation measures directly related to this development should be dealt with by condition if possible to ensure the scaling back of Section 106 if possible. CIL contributions will be used for off site infrastructure mitigation schemes. Therefore if this proposal triggers the need for off site mitigation, please ensure that you engage in the CIL Infrastructure List Consultation process upon receipt of a consultation letter.

Should you have any comments to make, these should be sent by replying to this email by 18th June 2020 . You can also monitor the progress of this application through the Council web site:

[www.arun.gov.uk/planning](http://www.arun.gov.uk/planning).

The application will be determined having regard to the development plan policies (if any are relevant) and other material considerations. The development plan can be accessed via the website <https://www.arun.gov.uk/development-plan> as can the the leaflet how to respond to planning applications <https://www.arun.gov.uk/planning-application-comments> which deals with material planning considerations.

**Please be aware that any comments you may make will be available on our website so please do not insert personal details or signatures on your reply.**

Should the application go to appeal the Planning Inspectorate will publish any comments made to the Council on their website: <https://www.planningportal.co.uk/info/200207/appeals> but they will protect personal details.

In the absence of a reply within the period stated, I shall assume that you have no observations to make

Yours sincerely

Mr S Davis

Planning Officer- Arun District Council

Telephone: 01903 737874

Email: [Simon.Davis@arun.gov.uk](mailto:Simon.Davis@arun.gov.uk)

PLCONSULT (ODS) 2020