

[REDACTED]

From: Mark Cullen [REDACTED]
Sent: 16 February 2022 10:29
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Cc: 'Jonathan Cooper' [REDACTED]
Subject: 95888: Pre Commencement Condition Letter - CM/69/21/PL

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Hi Anita,
Yes I can confirm we agree to the attached pre-commencement conditions.
Many thanks,

Mark

MARK CULLEN MRTPI
Associate

www.alderking.com



Market Monitor
South West & South Wales
[Download our 2022 report](#)



Alder King continue to monitor the situation regarding COVID-19 closely and follow the latest guidelines. Our priority is to maintain services to our clients whilst ensuring the wellbeing of all. Further communication will be made, as required.

Privacy Policy

By responding to this email or emailing Alder King LLP, your name and contact information may be collected, stored and used by Alder King LLP for its legitimate business purposes. If there is no business reason why this information should be collected and stored, then please contact the sender of this email. For information about how we collect, store and use your personal data in the delivery of our services and marketing, please review our [Privacy Policy](#).

Confidentiality

This email is confidential and/or legally privileged and intended for the use of the addressee only. If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, please advise the sender immediately. The use, dissemination, forwarding, printing or copying of this email is strictly prohibited. Alder King has taken reasonable precaution to ensure that no viruses are transmitted to any third party but accepts no liability for any loss or damage as a result of the use of this email.

Alder King LLP is a Limited Liability Partnership registered in England and Wales No. OC306796. Registered office: Pembroke House, 15 Pembroke Road, Bristol BS8 3BA. A list of members is available at the registered office.

From: planning.responses@arun.gov.uk <planning.responses@arun.gov.uk>

Sent: 16 February 2022 09:34

To: Mark Cullen [REDACTED]

Subject: Pre Commencement Condition Letter

<http://www.arun.gov.uk>

DX 57406 Littlehampton

You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer

includes any attachments.

Alder King Planning Consultant
Pembroke House
15 Pembroke Road
Clifton
BS8 3BA

Please ask for: Mrs A Gardner
Email: Anita.Gardner@arun.gov.uk
Telephone: 01903 737529
Our Ref: CM/69/21/PL
Your Ref:
Date: 16th February 2022

Dear Mr Cullen,

Town and Country Planning (Pre-commencement Conditions) 2018
Notice of intention to impose pre-commencement conditions

Flexible Generator Plant And Associated Infrastructure. This Application Is In Cil Zone 3 (Zero Rated) As Other Development And Is A Departure From The Development Plan.

Land At Northwood Farm Yapton Road BN18 0HR

From 1 October 2018 section 100ZA(5) of the Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

The following Pre Commencement Condition/s are Proposed:

- 6 No development shall commence 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 in accordance with policy T SP1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 7 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. 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 8 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals to discharge flows to watercourses or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And 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. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

OPTIONS:

1. Confirm your acceptance in writing by the **3rd March 2022**.
2. Choose not respond (i.e. remain silent). If there is no response by the **3rd March 2022** the Local Planning Authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice.
3. Provide comments before the **3rd March 2022** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **3rd March 2022** that you do not agree to the terms of the proposed pre-

commencement condition, in which case the Local Planning Authority may then either:

- a. grant planning permission without the pre-commencement condition,
- b. seek written agreement to an alternative pre-commencement condition, or
- c. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact the case officer on the above extension.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website <https://www.arun.gov.uk/privacy-policy/>

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.

To register to receive notification of planning applications in your area, please go to <https://www1.arun.gov.uk/planning-application-finder>