

John Collins Associates
127 Beulah Road
Thornton Heath
CR7 8JJ

Please ask for: Mrs A Gardner
Email: Anita.Gardner@arun.gov.uk
Telephone: 01903 737529
Our Ref: FG/123/20/PL
Your Ref:
Date: 14th January 2021

Dear Mr Barkham,

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

Demolition Of A Polytunnel, Storage Building & Scaffolders' Shelters & Racking, Use Of Land For Class B8 Container Self-Storage & The Siting Of 79 No. Single-Stacked Storage Containers, Part Regrading Of The Ground, New Fencing, Cctv & Lighting. This Site Is In Cil Zone 3 (Zero Rated) As Other Development & Is A Departure From The Development Plan.

Land At Former McIntyre Nursery Littlehampton Road Ferring BN12 6PG

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:

- 3 Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
1. A preliminary risk assessment which has identified:
all previous uses potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors
potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and

arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Where demolition is required 1. and 2. above should be submitted prior to demolition. Parts 3. and 4. can take place post demolition if necessary.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 4 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy (condition 3) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 6 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surfacing have been submitted to and approved in writing by the Local Planning Authority. The design must demonstrate a fully permeable surface, including any proposed sub-base.

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 needs to be a pre commencement condition to ensure that suitable drainage can be provided before any works commence.

OPTIONS:

1. Confirm your acceptance in writing by the **28th January 2021**.
2. Choose not respond (i.e. remain silent). If there is no response by the **28th January 2021** 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 **28th January 2021** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **28th January 2021** 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 www.arun.gov.uk/planning-privacy-statements

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.