

Recommendation Report for Planning Permission

REF NO: F/30/18/PL

LOCATION: Wicks Farm
Ford Lane
Ford
BN18 0DF

PROPOSAL: 2 multispans tunnels, 2 ancillary outbuildings, drainage pond, associated drainage works, external hardstanding for vehicle parking, access and turning.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal on existing open arable land in a single field includes the following: - A balancing pond 4 metres deep - 2 large multispans polytunnels greenhouses of approximately 2.5 hectares in size 7.5 metres in height. - 2 ancillary buildings 54 metres x 30 metres in size - 21 car parking spaces within the site to the south east corner. - 3 HGV turning circles serving the ancillary buildings - A further 22 spaces including 10 cycle parking spaces are cited within the report but not shown on plan. The proposed use of the multispans tunnels are for the growing of strawberries and raspberries and the site would have 20 employees.
SITE AREA	9 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	Sporadic trees to the boundary of the site.
BOUNDARY TREATMENT	The field has the following boundaries: North - Hedgerows/scrub /sporadic trees adjacent to the railway line West - A footpath and woodland beyond. South - A hedgerow and line of poplars along the boundary with large agricultural buildings East - An agricultural fence with sporadic trees and an existing greenhouse
SITE CHARACTERISTICS	A rural area to the north of Ford Lane in Ford on an intensively farmed agricultural unit.
CHARACTER OF LOCALITY	A rural area with sporadic commercial uses interspersed on farms and in agricultural buildings.

RELEVANT SITE HISTORY

F/11/19/PL	Construction of agricultural barn with flexible storage use (B8 Use Class) with ancillary office space	
F/2/19/WS	Amendment of condition 2 of planning permission WSCC/061/16/F (F/19/16/WS) relating to design of silage clamps.	No Objection 28-02-19
F/4/18/PL	Salt storage building, office building, parking & turning area & open storage areas for highways maintenance depot - This is a Departure from the Development Plan	ApproveConditionally 26-06-18
PAA/227/17/	Construction of Glasshouse & Nursery.	Approve Pre App 26-06-18
F/5/16/PL	Extension to existing glasshouses, development of anaerobic digestion plant & associated infrastructure for the generation of biomethane, CO2, electricity & heat, grid connection, digestate lagoon pipeline connection (previous approval F/32/08/AG), access & landscaping.	
F/4/16/PL	Change of use from office/storage to mixed business use (B1 Business).	ApproveConditionally 09-06-16
F/19/16/WS	Variation of conditions 12 & 13 imposed under F/7/16/WS relating to increased time limit for landscape scheme & decision notice - location/landholding plan. This is a County Matter application which will be determined by WSCC.	No Objection 24-01-17
F/7/16/WS	Proposed extension to existing glasshouses, development of an on-farm anaerobic digestion plant & associated infrastructure for the generation of biomethane, CO2, electricity & heat, grid connection, digestate lagoon, access & landscaping. This is a County Matter application which will be determined by WSCC.	Objection 16-06-16

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ford Parish Council

No objection subject to the development adhering to the following neighbourhood plan policies:

Policy EH8 - Light Pollution

Policy BUA1 - Built Up Area (BUA) boundary

Policy EH5 Grade 1, 2 and 3a Agricultural Land

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The proposal is considered compliant with policy as set out in the conclusions section of the report.

CONSULTATIONS

Ecology Advisor

WSCC Strategic Planning

Engineering Services Manager

Engineers (Drainage)

Environment Agency

Environmental Health

Economic Regeneration

Network Rail

Surface Water Drainage Team

Engineers (Drainage)

Arboriculturist

Parks and Landscapes

West Sussex - Waste Disposal

Southern Electric

South Downs National Park

H M Rail Inspectorate

Engineers (Drainage)

Engineers (Drainage)

Environment Agency

Environment Agency

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways:

Public Right of Way (PROW) Officer - The proposed access to the site would be shared with an existing public right of way it needs to be demonstrated that this PROW will be maintained and remains safe to use in accordance with the PROW officer comments.

County Highways - First Response Objection

Insufficient information, horizontal and vertical visibility to actual speeds has not been suitably demonstrated.

The Local Highway Authority (LHA) requests that the applicant provides additional information in order to adequately assess the proposal. Request the below information from the applicant and re-consultation:

- A clear plan demonstrating the current and proposed width of the access and internal access route through the site, including details of the formalisation of the access.
- Clarification of ownership of land either side of the existing access.
- Swept path tracking demonstrating the largest anticipated vehicle entering the site, travelling through the site, turning and exiting the site.
- A seven day speed survey should be undertaken to determine 85th percentile speeds in this location. Visibility splays should be provided in accordance with these speeds.
- Vertical visibility at a distance of 4.5m back into the access for the full length of achievable vehicular visibility splays.
- Details of the type and number of movements per day at the existing access for the existing use.
- Draft Travel Plan Statement - this can be secured via condition.

Final Response - No Objection

The application has now been supported by a Technical Note. Access to the site will be via an existing access track serving the site, which is currently unmade and unsuitable for HGVs. The technical note sets out that the access will be widened to 7.5m for the first 30m, and the first 10m of the access will be a hardened surface and regarded to a maximum gradient of 4% for HGV access. The proposed widening of the track will enable two HGVs to wait and pass within the access, without any obstruction of the public highway. A gate will be provided within the access road, this is positioned far enough into the access road, and will open inwards of the site, such that it will not result in HGVs obstructing the highway whilst the gate is in operation. The applicant has confirmed ownership of the land to either side of the access, enabling the proposed widening the access. The applicant proposes a 10m kerbed radii to the west of the access and a 14m kerbed radii to the east of the access to facilitate the left turn manoeuvre of HGVs exiting the site. The internal access way will be widened in places to facilitate HGV manoeuvrability through the site. HGVs will be routed east towards Ford Road and the A27 and A259 upon exiting the site. HGVs entering the site will also be routed from the A27 and A259 from Ford Road, i.e. entering from the east of the site. A 'HGVs no right turn ahead' sign will be erected to remind drivers of the routing. A maximum of three HGVs will enter and exit the site on a daily basis (a total of 6 HGV movements). These movements will occur from 12pm-7pm daily. Staff minibuses will arrive on site in the morning and depart between 3-4pm. As such, it is not anticipated that there would be conflict between these vehicles. The proposed access is considered wide enough to enable a minibus and HGV to pass without obstructing the highway.

The applicant has provided a plan demonstrating that these splays are achievable at the proposed widened access, utilising both publicly maintained highway and the applicant's own land. The applicant proposes to remove hedgerow to the east of the access which falls within the visibility splay. The applicant has demonstrated that the envelope of vertical visibility is sufficient at the proposed widened access at a drivers' eye height of 1.05m.

The applicant has provided a Transport Statement stating that the existing access is currently utilised by HGVs and agricultural tractors and trailers. Whilst details of existing vehicle trips associated with the existing use of the site have not been provided, it is not anticipated that the proposal will result in a severe intensification of use of the access.

The proposed plans indicate that 21 parking spaces will be provided for staff parking, including 3 disabled spaces. These appear to meet minimum specifications of 2.4 x 4.8m as set out in Manual for Streets (MfS). Parking for three LGVs and 3 minibuses is also provided on site.

Request imposition of conditions relating to access, parking and turning, cycle parking and visibility.

ADC Drainage Engineers - No objection subject to the imposition of conditions relating to Surface Water Drainage.

Environment Agency - First response - Objection.

Second response - No objection subject to imposition of appropriate condition.

West Sussex County Council Flood Risk Team - No objection subject to conditions.

ADC Environmental Health - No objection subject to informatives regarding statutory noise nuisance and the 'Clean Air' act.

CDC Ecology - No objection subject to enhancements and conditions relating to particular protected species.

South Downs National Park - No objection subject to the development 'having regard to the dark night skies'. Polytunnels have the potential to contribute significantly to light spill and (should permission be granted) the SDNPA would recommend that any non-domestic lighting, i.e. lighting above 10 lux or above 1000 lumens, is controlled by condition (including hours of operation), supported by detailed lighting plans.

Landscape Officer - No Objection.

The proposed site is arable at present and sparsely vegetated and where it is this is to the periphery of the development site and particularly devoid of vegetation to the north and south of the red edged boundary.

The introduction of hedging would be recommended to provide screening of the proposals particularly to the view from the South Downs National Park to higher ground to the north. The proposed polytunnels would be significant in height and would have a certain degree of impact on this site particularly from the loss of habitat and biodiversity. This should also be considered with any planting proposals which may benefit from enhancement with native species to mitigate for this change.

Any proposed new planting would need to be sufficient in height with a mix of tree and shrub species that are sufficiently fast growing to promote a biodiversity habitat improvement along with screening benefit.

Any screening proposed will need to provide a good mix of deciduous and evergreen species, which when planted should establish quickly to form a balanced and appropriate planting scheme.

The proposals could provide the opportunity to enhance existing hedgerows and to secure on-going management of all structural vegetation to the periphery.

The proposed planting with particular emphasis on screening is recommended to be in place prior to, but no later than the first planting season following the construction of this proposal.

A tree survey relating to existing trees within or to the red edge boundaries would need to be undertaken. Tree protection fencing requirements identified and tree protection plans submitted which would need to be conditioned with any decision.

Recommend enhancement of planting areas to the periphery details of which should be conditioned.

Network Rail - No Objection.

Due to the potential impact on Network Rail Infrastructure the proposed development to Network Rail land please see below the comments we would like to make:

Network Rail strongly recommends the developer contacts AssetProtectionLondonSouthEast@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works.

Business Development Manager - Support

Horticulture is a mainstay of the district in terms of employment and particularly in this case, has the perfect climate for growing. We are pleased to support growers that are taking a hi-tec approach and also bringing an additional 20 jobs to the area.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Class C road

Outside Built Up Area Boundary

Overhead Electricity Line

Right of Way

No Public Sewer

Biodiversity Opportunity Area

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
ENVSP1	ENV SP1 Natural Environment
HORDM1	HOR DM1 Horticulture
LANDM1	LAN DM1 Protection of landscape character
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WDM1	WM DM1 Waste Management

Ford Neighbourhood Plan 2019 Policy EH1	Protection of trees and hedgerows
Ford Neighbourhood Plan 2019 Policy EH4	Surface water management
Ford Neighbourhood Plan 2019 Policy EH5	Grade 1, 2 and 3a Agricultural Land
Ford Neighbourhood Plan 2019 Policy BUA1	Built Up Area (BUA) boundary
Ford Neighbourhood Plan 2019 Policy EE1	Support for business
Ford Neighbourhood Plan 2019 Policy EH8	Light Pollution

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 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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Ford Neighbourhood Plan (FNP) has been adopted.

Policy BUA1 defines the built up area boundary

Policy EH1 refers to Protection of trees and hedgerows

Policy EE1 Supports Business and policy EE2 supports the retention of existing employment sites.

Policy EH4 refers to Surface water management

Policy EH5 refers to Grade 1, 2 and 3a Agricultural Land

Policy EH8 relates to Light Pollution

Policy EE8 refers to Agricultural/Horticultural/Horsicultural employment outside of the BUA boundary proposals for the redevelopment

The site lies within the area designated as a Biodiversity Opportunity Area and policy EH6 applies.

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 proposal is considered to comply with relevant Development Plan policies in that it is a horticultural use in a rural area which meets the requirements of policy TSP1, HOR DM1 and ENV DM3 and has no materially adverse effect on the character or visual amenities of the locality.

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:

The site is located outside the built-up area boundary on farmland and the proposed development would facilitate production of soft fruit. In principle it would therefore accord with policies CSP1 and SO DM1 of Arun Local Plan in that it constitutes diversification of the rural economy in accordance with CSP1(d) and

provided it accords with policy HOR DM1 it would also meet the requirements of part (f) of the policy. It would also comply with policies BUA1 and EH5 of Ford Neighbourhood Plan since the use is agricultural in nature.

The National Planning Policy Framework under paragraph 83 states that Planning policies should "support the sustainable growth and expansion of all types of business and enterprise in rural areas..."

Therefore, the principle of the proposed development in this location is considered acceptable and will be assessed against policies HOR DM1 and D DM1 of the Arun Local Plan, relevant policies within the Ford Neighbourhood Plan and the National Planning Policy Framework.

COMPLIANCE WITH POLICY HOR DM1 HORTICULTURE

This policy requires poly tunnel development to accord with varying criteria. The proposal accords with this policy in that :

- It details of the economic benefit of the scheme to the rural economy by creating 20 full time jobs and on completion of the 6.5Ha production facilities; the annual output value of the strawberry production will be in the region of £3million. There will be additional benefits to the rural economy; including: new business relationships with logistics, engineering, technical, training, agronomy and many other local businesses. This completed nursery development project will make a major contribution towards food security, reduce food miles and imports.

- It is confirmed that pollution to soil, water or air, including cumulative effects, is within regulated acceptable limits. Irrigation drainage water from the crops will be collected in underground tanks, blended with fresh irrigation water and recycled back to the crop. This system ensures that no irrigation water or fertilisers run to waste.

The strawberry crops are not grown in the soil. They are grown in an inert growing media in a closed irrigation system with no drainage water running into the soil. No fertilisers, chemicals or contaminants will be discharged to the soil, waterways or to the air.

- It is confirmed that there is minimal impact on health or general amenity resulting from artificial lighting on occupants of nearby residential properties and minimal impact on the appearance of the site in the landscape by the minimisation of light spillage and glare to keep the natural environment dark at night. The agent has confirmed there are no plans to use artificial lighting at any time for crop lighting. The natural environment will be kept dark at night. A condition is proposed to limit light levels.

- It is confirmed that noise levels resulting from machinery usage, vehicle movement, or other activity on the site would not be likely to unacceptably disturb occupants of nearby residential properties. The only noise will be that of vehicles loading and unloading during daylight hours for very short periods of time.

- The proposal includes full details of new landscaping, screening and of any vegetation retained on site. A Landscape & Visual Impact Assessment (David Hares Landscape Architecture), has been submitted together with an Ecological Appraisal which includes recommendations for the protection of flora & fauna. The proposal also includes a Tree Survey and a Topographical Survey. The scheme was reviewed in the light of the landscape and visual impacts identified and proposals for mitigation measures have been developed. These consist of :

- Gapping up of hedgerows along the western and eastern boundaries to reduce the visual permeability of the hedging which allows some winter views through the hedges.
- Addition of new screen planting to the northern, western and eastern reservoir embankments
- Planting to the gaps in the section abutting Ford lane

The agent has also advised in emails dated 15th & 25th April 2019 that the 5m (in some places it will be

more than 10m) grass/buffer strip will be left completely open to blend naturally with the existing hedge and ditch boundaries. There are no plans to disturb any trees, hedges or ditches around the boundaries of the field during the construction or operations of the multispan polytunnels development.

The agent has confirmed that they will accept a condition requiring a minimum of a 5m grass buffer strip around the site, to help to protect and enhance native flora and fauna, and to enhance the environment by carrying out the recommendations in the independent Ecological Appraisal and the Landscape Assessment.

Since some planting is being undertaken directly into the soil it is not considered necessary to submit a sustainability and options appraisals, mitigation measures, and a soil resources plan for development of the site.

The proposal is therefore compliant with this policy.

Policy EH8 of Ford Neighbourhood Plan relates to Light Pollution and states development proposals which detract from the unlit environment of the Parish will not be supported. Based on the level of information submitted with the application it has been satisfactorily demonstrated that this is complied with.

COMPLIANCE WITH POLICY ENV DM3 BIODIVERSITY OPPORTUNITY AREA

The northern part of the site lies in a Biodiversity Opportunity Area as defined in the Local Plan and Neighbourhood Plan. The submitted Landscape & Visual Impact Assessment, Ecological Appraisal, and Tree Survey demonstrate that the development retains and sympathetically incorporates locally valued and important habitats, including wildlife corridors, is designed to minimise disturbance to habitats and includes opportunities for enhancement of habitats through design, layout, landscaping.

The Ford Neighbourhood Plan contains policy Policy ENH6 which states that within the Biodiversity Opportunity Area development will not be permitted unless it is reasonably necessary for the purposes of agriculture and only then if it is designed to minimise disturbance to habitats. The evidence submitted satisfactorily demonstrates that this is the case.

DESIGN AND VISUAL AMENITY

The proposed buildings and poly tunnels would be of a significant size and scale appropriate to the rural location but such development would only be acceptable if the site screening remains and is enhanced in order to protect the character of the area and public views across the landscape. A Landscape Appraisal has been submitted and a supporting landscaping plan has been submitted detailing where additional planting would be carried out which demonstrates that the open landscape character of the countryside will be protected.

Therefore, it is considered that the proposal accords with Policy D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

It is likely that the nearest residential properties are sufficiently sited away for there to be no unacceptable impact on their residential amenities, but without the inclusion of a lighting report and noise details this has not been adequately demonstrated.

As such, the proposal would not have a detrimental impact on the amenity of occupiers of adjoining residential units with regard to overlooking, overbearing impact, overshadowing and loss of light/sunlight, but may be adversely affected by noise and activity levels. Some of the farm to the south is already used

as an on-farm anaerobic digestion plant & associated infrastructure for the generation of biomethane, CO₂, electricity & heat, grid connection, digestate lagoon the proposal could therefore cumulatively potentially adversely affect residential amenity.

Therefore, based on the information submitted the proposal is considered to accord with policy D DM1 and HOR DM1 of the Arun Local Plan.

Trees and Hedgerows

Policy EH1 of Ford Neighbourhood Plan: Protection of trees and hedgerows states 'Development that damages or results in the loss of trees of arboricultural and amenity value or loss of hedgerows and/or priority habitat, or which significantly damages ecological networks will be resisted. Development proposals must be designed to incorporate biodiversity within and around developments and enhance ecological networks, seeking to retain wherever possible trees of arboricultural and amenity value and hedgerows. Based on the submitted information it is not clear that sufficient mitigation or retention of habitat is being provided.

SUPPORT LOCAL BUSINESS

The officers note the comments of the Council's Economic Development team as there is a shortage of good quality commercial premises in the District. The application form indicates 20 jobs will be provided as a result of the expansion of the site, this is supported by EMP DM1 of the Arun Local Plan and Policy EE1 of the Ford Neighbourhood Plan (FNP). Policy EE8 Agricultural/Horticultural/Horsicultural employment of Ford Neighbourhood Plan refers to development outside of the BUA boundary and states that proposals for the redevelopment or change of use of land in Agricultural/Horticultural/Horsiculture away from employment use will not be permitted. The proposal accords with this policy as more jobs are being created.

HIGHWAY SAFETY

The information now submitted satisfactorily demonstrates that use of the site can be undertaken without adversely impacting on highway safety. Following the initial request from County Highways for further information the following has been submitted :

- A plan showing the proposed width of the access road and the internal access route; including the formalisation of the access.
- A plan of swept path tracking for HGVs entering, passing through and leaving the site.
- A seven day speed survey and a plan of visibility displays to match the recorded speeds.
- Vertical visibility at a distance of 4.5m back into the access.
- Details of the type and number of daily movements of vehicles using the site.

The proposal therefore now accords with policy T SP1 of Arun Local Plan.

DRAINAGE

Policies WDM2 and WDM3 of the Local Plan and policy EH4 of the Ford Neighbourhood Plan refer to flood risk and surface water management in new development which should aim to reduce the overall level of flood risk in the area.

The proposal is supported by a Flood Risk Assessment and there is no objection from Environment Agency and Engineers provided appropriate conditions are imposed.

SUMMARY

It is recommended that the planning application is approved subject to the following conditions.

HUMAN RIGHTS ACT

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.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
The development hereby approved shall be carried out in accordance with the following approved plans;
Site Location Plan PA01 revP01
Site Block Plan PA02 revP06
Ancillary Building Elevations revP01
Views of tunnels 1.02 rev01
Greenhouse Plan 1.01 rev00

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 3 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.

- 4 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. No construction is permitted, which will restrict current and future land owners 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.

- 5 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 6 Lighting levels from the site shall not exceed 10 lux/1000 lumens.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

- 7 The development hereby permitted must not be commenced until such time as a scheme to ensure that the loss of compensation area (level for level, volume for volume) from the irrigation reservoir within Flood Zone 3 is replicated as per Section 5.3.1 and Appendices 10 of the Civil Engineering Practice Flood Risk Assessment has been submitted to, and approved in writing by, the Local Planning Authority.

Reason :To ensure there is no loss of fluvial floodplain compensation area in accordance with

policies WDM2 of Arun Local Plan

- 8 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values.

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

- 9 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun District Local Plan.

- 10 No development including site access, demolition or associated construction activities shall commence unless and until all the existing trees/bushes/hedges to be retained on the site have been protected in accordance with a scheme submitted to the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy ENV DM4 of the Arun Local Plan.

- 11 In accordance with the recommendations of the submitted Ecological Appraisal and the Landscape Assessment a minimum 5m grass buffer strip shall be retained around the site.

Reason: To protect and enhance native flora and fauna in accordance with policy ENV DM3 of Arun Local Plan and policy ENH6 of Ford Neighbourhood Plan.

- 12 Prior to the use commencing ecological enhancements shall be made to the scheme in accordance with details to be submitted to and approved by the Local Planning Authority, which shall include the following :
- Any trees removed should be replace at a ratio of 2:1
 - Wildflower meadow planting used

- Filling any gaps in tree lines or hedgerows with native species
- Bat and bird boxes installed on the site
- Grassland areas managed to benefit reptiles.
- Log piles onsite

Reason: To protect and enhance native flora and fauna in accordance with policies ENV DM3 and ENV DM5 of Arun Local Plan and policy ENH6 of Ford Neighbourhood Plan.

- 13 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled 'Proposed Access Arrangements with Autotrack Vehicle Tracking of a 16.5m HGV' and numbered 6352.001 Rev A.

Reason: In the interests of road safety in accordance with policy TSP1 of Arun Local Plan.

- 14 No part of the development shall be first occupied until visibility splays of 4.5 metres by 125m to the west and 4.5m by 120m to the east have been provided at the proposed site vehicular access onto Ford Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with policy D DM1 and T SP1 of the Arun Local Plan.

- 15 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy TSP1 of Arun Local Plan.

- 16 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy TSP1 of Arun Local Plan.

- 17 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with policy TSP1 of Arun Local Plan.

- 18 INFORMATIVE: The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

- 19 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to

the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

20 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

21 INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

22 INFORMATIVE: Network Rail strongly recommends the developer contacts AssetProtectionLondonSouthEast@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of

detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/>

[looking-after-the-railway/asset-protection-and-optimisation/](https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/).

As well as contacting the Asset Protection Team the developer must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Drainage

Run-off from the proposed polytunnels must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of

storm/surface water disposal must not be constructed near/within 10 - 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Future maintenance

The development must ensure any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space, and therefore all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. The reason for the 2m (3m for overhead lines and third rail) stand off requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer,

the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence

on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection

presence costs). However, Network Rail is not required to grant permission for any third party access to its land. No

structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction / maintenance works.

Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.

- 23 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 737755

- 24 INFORMATIVE: The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by HDC as the local planning authority. Further advice can be provided on request.

Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route - advice on the legal width can be provided by the WSCC PROW Team.

The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.

No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure.

- 25 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A 'Statutory Nuisance' may be caused by smoke and ash from fires or noise e.g. the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 26 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.