

Arun District Council
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

30 September 2026
PP-15230909

Dear Sir/Madam,

Land north-east of Kingston Lane
Approval of details reserved by conditions imposed under K/46/23

This letter accompanies this application on behalf of Seaward Properties Ltd for the discharge of conditions attached to planning approval K/46/23 which granted full planning permission for the erection of 47 no. residential dwellings (including affordable homes).

This application seeks to discharge the following conditions:

- 5 – Air Quality
- 7 – Contamination
- 18 – BNG
- 21 – Reptile mitigation

The details submitted pursuant to each condition are set out below.

Condition 5 – Air Quality

Prior to any works commencing, an air quality assessment must be submitted to and approved in writing by the Local Planning Authority. The applicant must follow the Air Quality and Emissions Mitigation Guidance for Sussex (2020): [www.sussex-air.net/Reports/SussexAQGuidance V.12020.pdf](http://www.sussex-air.net/Reports/SussexAQGuidanceV.12020.pdf). The assessment shall include full details of the measures necessary to mitigate the emissions calculated by the assessment.

Documents Submitted:

- Air Quality Assessment – 14672 V1 Final

Key Details

The submitted report identifies the construction and operational phase impacts that could give rise to emissions including dust soiling effects from site specific works and emissions of NOx and PM2.5 expected to be generated by traffic associated with the scheme in its first five operational years. However, by adopting appropriate mitigation measures to reduce emissions and their potential impact, there should be no significant residual effects.

Condition 7 - Contamination

Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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 (historical) 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) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.*
- 3. Based on the Site Investigation Scheme and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and PLDNSTD (ODB) 2018 Arun District Council K/46/23/PL 3 of 16 how they are to be undertaken.*
- 4. A Verification Report 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.*
- 5. The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that 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. The report shall also include 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 report, and for the reporting of this in writing to the Local Planning Authority.

Documents submitted:

- Phase I Desk Study (GWPR7118)
- Phase II Report (GWPR4893)

Key details

The phase 1 desk top assessment did not identify any areas of Made Ground or Reworked Ground within a 250m radius and is not within a Groundwater Source Protection Zone. It concludes that on the basis of the Phase 1 Site Assessment and all information to date, no significant contamination risks are posed to the development. It sets out the parameters for the Phase 2 report.

The Phase 2 report sets out the results of the intrusive works and based on the results, concludes that no further remediation is required.

It is therefore considered that the condition can be fully discharged as no further work is required.

Condition 18 - BNG

Prior to commencement of development a Biodiversity Net Gain Design Stage Report, in line with Table 2 of CIEEM Biodiversity Net Gain report and audit templates (July 2021), shall be submitted to and approved in writing by the Local Planning Authority which provides a minimum of 10% measurable biodiversity net gain, using the DEFRA Biodiversity Metric 4.0 or any successor. The content of the Biodiversity Net Gain report should include the following:

- *Baseline data collection and assessment of current conditions on site;*
- *A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity;*
- *Provision of the full BNG calculations, with detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality;*
- *Details of the implementation measures and management of proposals;*
- *Details of any off-site provision to be secured by a planning obligation;*
- *Details of the monitoring and auditing measures.*

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Documents submitted:

- BNG Design Stage Report (GS643.Kingston.BNGDesignStageReport.v.1)
- Statutory Biodiversity Metric Condition Assessments
- The Statutory BNG Metric

Key details:

The submitted report demonstrates an increase above baseline of 31.5% in area habitat units and 36.3% in hedgerow units (set out in the accompanying metric) exceeding the minimum 10% requirement. It shows how the mitigation hierarchy has been considered and the net gain has been achieved on site without the need for off-site mitigation. The report then sets out the implementation and management measures and the monitoring and reporting schedule.

It is submitted that the details submitted accord fully with the requirements of condition 18 and that the condition can be discharged.

Condition 21 – Reptile Mitigation

Documents submitted:

- Reptile Mitigation Strategy 0926

Key Details:

The report highlights the results of the reptile survey previously undertaken that identified slow worms on the northern, western and southern boundaries. A mitigation strategy is set out, the aim of which is to retain the reptile populations on site and in the local area. The reptiles will be translocated from the construction area to suitable receptor area which itself will be enhanced and the habitat managed. On this basis, reptiles will be protected during construction and long term measures employed to maintain and enhance the population of Slow Worms.

I trust the submitted information is sufficient to enable the discharge of conditions set out above, but should you require any further information then please do not hesitate to contact me.

Independent advice from the ground up

Yours faithfully,



Dawn Appleton
Senior Planner
Henry Adams LPD