

From: Amanda Scholes on behalf of Planning.Responses
Sent: 11 November 2020 09:21
To: Planning Scanning
Subject: FW: LU/214/20/PL Former Waitrose - Pre-Commencement Conditions
Attachments: LU_214_20_PL202011051903113538.pdf

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Save the environment - think before you print.

From: Anita Gardner <Anita.Gardner@arun.gov.uk>
Sent: 10 November 2020 16:53
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: LU/214/20/PL Former Waitrose - Pre-Commencement Conditions

Please scan as correspondence with agent re conditions

Anita Gardner
Principal Planning Officer,
Directorate of Place

T: 01903 737529
E: anita.gardner@arun.gov.uk



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From: Susie Stephen [REDACTED]
Sent: 10 November 2020 16:34
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Cc: Graeme Warriner [REDACTED]
Subject: LU/214/20/PL Former Waitrose - Pre-Commencement Conditions

Hi Anita,

We can confirm agreement to the pre-commencement conditions.

Just in relation to Condition 8, we don't have an issue with this condition, but the reason refers to trees 'within the site' whereas there are none. We are presuming, as per the second sentence, that the purpose of this condition is to protect adjacent trees (principally those along Fransiscan Way as I can't see that there are any others) – is that correct? If it can be amended to just refer to adjacent trees on Fransiscan Way that would be helpful.

Kind regards

Susie Stephen

Planning Associate - Please note my working hours are: Tues-Fri 9am - 5pm



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Please ask for: Mrs A Gardner
Email: Anita.Gardner@arun.gov.uk
Telephone: 01903 737529
Our Ref: LU/214/20/PL
Your Ref:
Date: 5th November 2020

Dear Mr Warriner,

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

Demolition Of Existing Buildings & Redevelopment Comprising 37 No. Residential Units (Class C3) & Flexible Commercial Floorspace (Class A1, A2, A3 And/Or D1) Together With The Provision Of Car & Cycle Parking, Landscaping & Associated Works (Resubmission Following Lu/3/19/Pl). This Application Affects The Setting Of Listed Buildings & May Affect The Character & Appearance Of The East Street, Littlehampton Conservation Area. This Application Is In Cil Zone 4 (Zero Rated) As 'Flats & Other Development'.

Empty Supermarket Premises Avon Road Littlehampton BN17 6AT

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 construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 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.

- 5 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

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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.

- 6 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.

- 7 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 TSP1 of the Arun Local Plan.

- 8 Prior to development commencing an Arboricultural Implications Assessment (AIA)

which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' shall be submitted to and

Reason; To ensure retention of trees within the site in accordance with policy ENV DM4 of Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the health of adjacent trees are not compromised.

- 9 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.

- 10 The scheme for risk of contamination approved in condition 9 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 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.

OPTIONS:

1. Confirm your acceptance in writing by the **19th November 2020**.
2. Choose not respond (i.e. remain silent). If there is no response by the **19th November 2020** 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 **19th November 2020** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **19th November 2020** 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.