

Cityzen Ltd
Maritime House
Basin Road North
Hove
BN41 1WR

Please ask for: Mr S Davis
Email: Simon.Davis@arun.gov.uk
Telephone: 01903 737874
Our Ref: LU/276/21/PL
Your Ref:
Date: 15th November 2021

Dear Mrs Smith,

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

Demolition Of Existing Storage Structure, Proposed 2 Storey Commercial Building Under Class E(G) And Class B8. This Application Is In Cil Zone 4 (Zero Rated) As Other Development.

Fort Road Garage Fort Road East Wick Littlehampton BN17 7QZ

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:

- 5 No development shall take place, including any works of demolition, until a Construction Environmental 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:
- a) An indicative programme for carrying out the works;
 - b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
 - c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
 - d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
 - e) The anticipated number, frequency and types of vehicles used during construction;
 - f) The method of access and routing of vehicles during construction;

- g) The parking of vehicles of site operatives and visitors;
- h) Loading and unloading of plant and materials, including permitted times for deliveries;
- i) Storage of plant and materials used in constructing the development;
- j) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- k) 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 Regulations Orders);
- l) Measures to control the emission of dust and dirt during construction;
- m) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies TSP1 and QE SP1 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

- 6 Prior to the commencement of new development works (but excluding demolition) 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. Based on the agreed "Preliminary Ground Contamination Risk Assessment Report" (report ref R14930) and the "Quantitative Ground Contamination Risk Assessment" (report ref R15030) both by Ashdown Site Investigation Ltd, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

2. A Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The verification report shall demonstrate completion of the works set out in the approved remediation strategy and 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.

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

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.

- 7 No development hereby permitted shall commence until an acoustic assessment has been undertaken to determine the impact of noise arising from the development site and the results of the assessment and details of any mitigation measures submitted and approved in writing by the Local Planning Authority. Noise from commercial premises should be controlled, such that the noise rating level (L_{Ar,T}) emitted from the development does not exceed the background noise level (L_{A90,T}), by more than 3dB. All measurements shall be defined and derived in accordance with BS 4142:2014. The noise assessment shall include the assessment of noise from future roller shutter doors. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policy QE DM1. This is required to be a pre-commencement condition because it may be necessary to include noise mitigation measures in the fabric of the building.

OPTIONS:

1. Confirm your acceptance in writing by the **30th November 2021**.
2. Choose not respond (i.e. remain silent). If there is no response by the **30th November 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 **30th November 2021** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **30th November 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 <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>