

Recommendation Report for Planning Permission

REF NO: LU/300/19/PL

LOCATION: Minster Court
Courtwick Lane
Littlehampton
BN17 7RN

PROPOSAL: Erection of four new commercial units (Use Class B1, B2 or B8), amended access & associated car parking.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal relates to 4 additional commercial units, approx. 24m x 12.5m. The units would be located at the entrance to the site and formed as an extension to the commercial units by adding 2 units to the end of each terrace of units. The uses would comprise B1, B2 and B8 and the layout includes a reception/office and toilet, together with a separate commercial area.

Access is gained via the front elevation of each unit, with a roller shutter providing access to the commercial area and a separate pedestrian access. The layout of each unit corresponds with the existing units and each has a floor area of 300 sqm.

The appearance of the units would replicate that which already exists on other neighbouring units in terms of height design and materials. The new development will comprise of a grey steel cladding roof, aluminium door/window frames and brick facing walls.

The units are single storey with a highest roof point of 8.4m and an eaves of 6m which provide sufficient height for access by vehicles and for the storage of goods.

The application is supported by a Noise Survey, Arboricultural Assessment and Transport Statement.

SITE AREA

9933 sqm

TOPOGRAPHY

Predominantly flat.

TREES

The mature conifer trees along the site frontage will be removed.

BOUNDARY TREATMENT

Site is enclosed by green palisade fencing to approx. 2m height. Evergreen conifers along much of site frontage to approx. 4m height

SITE CHARACTERISTICS	The wider industrial estate comprises a mix of B1 workshop, B2 industrial and sui generis uses. The lower part of the elevations of the buildings are buff brickwork and the upper section is grey cladding.
CHARACTER OF LOCALITY	The area is mixed use with residential uses to the north of Courtwick Lane and commercial and retail uses to the south including other B1 industrial estates, office developments, a medical centre and Morrisons supermarket. The site is accessed from Courtwick Lane with access to bus routes, pedestrian and cycle access.

RELEVANT SITE HISTORY

LU/144/11/	Construction of one new build steel frame, profiled steel clad industrial unit, with brick elevations at ground floor level, to north west corner of existing unit number 1.	ApproveConditionally 09-08-11
LU/292/99/	Internal installation of mezzanine floor only	ApproveConditionally 03-03-00
LU/9/99/	Change of use from B1-Light Industrial to B8-Warehouse and Storage.	ApproveConditionally 08-03-99
LU/151/97	Application to extend the operating hours to 24 hours per day (excluding Sundays & Bank Holidays as original condition)	ApproveConditionally 22-08-97
LU/345/91	Erection of light Industrial Units and amendments to parking layout of previously approved Industrial Units.	ApproveConditionally 11-03-92

Condition 3 of the original planning permission for units 6-10 on the Minster Court Business Court states that the premises shall only be used for B1 business purposes.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No Objection

- Subject to the applicant providing the further information requested by County Highways.

1 Objection

- Businesses at the site already flout planning by operating at evenings and weekends.
- They leave the gates open which encourages youths to drive around within the site. Security gates are locked most evenings by 19:30hrs but some of the businesses open up after as they have keys for both gates.
- The van sales park sales vehicles on courtwick lane as there is not enough parking there for the amount of units.
- Lorries unload on Courtwick Lane as insufficient space within Minister Court.
- Unit one spends most weekends fixing race cars and is very annoying due to the noise. Some units have subsequently been allowed to change to other uses.

COMMENTS ON REPRESENTATIONS RECEIVED:

The further information requested by County has been submitted and assessed and they have no objection to the proposal.

The use of the site by other users in contravention of the opening hours is not a material planning consideration in relation to this application. This matter has not been reported directly as a nuisance and further information has been requested to identify whether any breaches have occurred.

CONSULTATIONS

WSCC Strategic Planning
 Environmental Health
 Economic Regeneration
 Engineers (Drainage)
 Engineering Services Manager
 Southern Water Planning
 Sussex Police-Community Safety

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection

The road safety audit found no issues with the proposed access arrangement. Conditions requested relating to visibility, car and cycle parking and CMP.

Sussex Police - No Objection.

Secure by Design considerations suggested.

Southern Water - No Objection

Pre commencement condition requested relating to foul drainage

Environmental Health - No Objection

Conditions requested relating to CMP, noise, contamination, hours of operation and lighting.

Economic Development - Support

Will help supply accommodation for growing and new businesses.

Drainage Engineer - No Objection. Imposition of pre commencement condition requested.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

TPO on adjoining site

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM3	W DM3 Sustainable Urban Drainage Systems
EMPDM1	EMP DM1 Employment Land: Development Management
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
ENVDM4	ENV DM4 Protection of trees

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

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.

Policies 1 & 2 of the Littlehampton Neighbourhood Plan apply and have been taken into account in the determination of this application.

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 would have no materially adverse effect on residential amenity, the character of the area or highway safety.

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

The site falls within an urban and established commercial area. The additional commercial units are acceptable in principle subject to normal development control criteria such as residential amenity, highway safety and parking being acceptable. It is noted that the National Planning Policy Framework (NPPF) supports the effective and efficient use of land for sites in the built up area and that Policy 1 of Littlehampton Neighbourhood Plan supports proposals that do not have any adverse impacts which would significantly and demonstrably outweigh its benefits when assessed against the NPPF. The wider industrial estate comprises a mix of B1 workshop, B2 industrial and sui generis uses, and therefore the proposed use compliments the existing use of the site.

VISUAL AMENITY

Paragraph 127 of the National Planning Policy Framework requires planning decisions to ensure developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should be visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscaping setting and maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Paragraph 130 of the National Planning Policy Framework makes clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy D SP1 of the Arun Local Plan requires development proposals to make efficient use of land but reflect the characteristics of the site and layout area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

The proposal would reflect the scale and design of the existing commercial units on the site. The amount, layout, scale and appearance of the proposed units is entirely appropriate for the site and within the locality as a whole and would accord with policies DSP1 and DDM1 of the Local Plan which seek to ensure that the scale and appearance of new development is in keeping with the character of the locality.

The proposal includes removal of existing trees along the site frontage, but some replacement planting is proposed which can be conditioned to ensure that there is some softening of the appearance of the site.

IMPACT ON TREES

The proposal will replace the two existing site entrances and provide a new site entrance with associated soft landscaping constructed at the centre of the northern site boundary. There are also minor amendments to the existing parking layout within the site, including the addition of an accessible parking space for all existing and proposed units. In creating the new access cypress trees along the northern site boundary will be removed. These trees have been pruned to maintain access along the pavement on Courtwick Lane and the parking area within the site. Individually the trees are not noted as being of high arboricultural value and they have not benefitted from regular pruning to restrict their height and have a relatively short lifespan, however collectively they do provide some screening to the site and the residential development to the north. In support of the application, a Tree Survey and subsequent Impact Assessment was prepared in August 2019. The Impact Assessment confirmed that Group G1 comprising the Cypress trees on the site frontage needs to be removed to enable construction of the new site entrance and classed these trees as category B2 due to their collective landscape value on Courtwick Lane. In addition, all proposed buildings and areas of new hard standing will be located outside the root protection areas of retained trees. Based on the assessment, trees recommended for retention in this report can be protected during the construction period and successfully integrated into the site post development.

Soft landscaping areas on the northern boundary, adjacent to the new site entrance and within the site are identified on the proposed layout plan. The proposal incorporates some landscaping to compensate for this loss, which will enhance the appearance of the industrial estate as a whole, but will not provide a significant visual screen. The submitted block plan includes planting of trees within the site and landscaping around the new entrance to the site. These enhancements soften the overall appearance of the site and submission of a landscaping scheme has been conditioned. It would be expected that some planting is achieved along the site frontage.

The site is also adjacent to a Tree Preservation Order TPO/LU/1/99 which relates to a group of sycamores on third party land on the north-west corner of the site. The submitted tree impact assessment makes it clear that these trees should not be adversely affected by the proposal.

RESIDENTIAL AMENITY

The site is opposite residential properties and in recognition of this a Noise Survey has been submitted as part of the proposal was undertaken in July 2019. The assessment concluded that the Rating Level at the nearest NSR is below the existing L90 Background Sound Level if Roller Shutter Doors are closed. In addition, the assessment has shown that the Rating Level at the nearest NSR is 5dB above the existing L90 Background Sound Level if Roller Shutter Doors are opened. Lastly, the assessment has shown that the Rating Level at the nearest NSR is 1dB above the existing L90 Background Sound Level if a fork lift truck is operating in the area nearest to the nearest NSR. This is considered to be acceptable by environmental health officers and considerations suggested regarding operating times have been included.

It is considered that 4 additional units within this established commercial site would not increase noise and activity generated from the site to such an extent that material harm would result to nearby residential properties. Environmental Health officers have no objection in terms of noise or pollution and have requested the imposition of conditions including submission of a noise management strategy, based on the mitigation methods and recommendations in the submitted report. The proposal is therefore compliant with policies DDM1 (1) and QE DM1 of Arun Local Plan.

HIGHWAY ISSUES

The application is supported by a Transport Statement which was undertaken in August 2019.

The assessment confirmed that the site is well placed to support sustainable development with local and national cycle routes within close proximity of the site, good pedestrian networks towards the local centre, residential areas and Littlehampton Town Centre and close proximity to local bus stops. In addition, a TRICS generation assessment has been completed to estimate the likely number of vehicle trips generated by the proposals. This assessment identified that the proposals are likely to result in an increase of 20 vehicle trips in the AM peak, 13 vehicle trips in the PM peak and 203 vehicle trips over a 12-hour period

Parking provision for the site as a whole (due to re configuring the parking arrangements) has been reviewed against Arun's adopted guidance. The guidance suggests that when compared against B2 standards the site should provide a total of 105 spaces. The layout demonstrates a provision of 107 spaces which meets the existing demand for spaces on site which equates to 2.4 spaces per 100sqm. A provision of 107 spaces with 2 allocated spaces for each unit is therefore considered sufficient to cover the expected level of demand.

County highways have no objection to the proposal in terms of parking provision or layout.

Policy T DM1 states that new development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community transport services where a need has been identified. Access to alternative modes of transport including public transport services, the public right of way and cycle networks, must be available and accessible to all members of the community. The site is located close to bus stops and is readily accessible on foot and bicycle. Cycle parking provision is conditioned. In accordance with Policy T SP1 the development has safe access to the highway network.

EMPLOYMENT

Policy EMP DM1 states that the Council will seek to enhance existing employment sites and premises in order to maintain a supply of good quality commercial sites and premises to meet the needs of businesses and the local economy. The proposals therefore fully accord with these principles. This is an established commercial site and the proposal would provide 1200sq m internal floor space and 20 full time jobs.

It would also comply with the requirements of the NPPF. Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 81 states that planning policies should:

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

Paragraph 180 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or

the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.

DRAINAGE

In support of the application, a Drainage Strategy was prepared in August 2019. The strategy concluded that, in the context of existing ground conditions, as long as the overall developed area red-line boundaries are outside of the flood zones and long-term flood risk areas, the development is suitable without the need for the Sequential or Exception tests. The Council's Drainage Engineer has no objection to the proposal.

CONCLUSION

The application is recommended for approval subject to the following conditions

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 The development shall be carried in accordance in accordance with the following approved plans:

Location Plan

Proposed plans Units 11-12 (Units 13-14 handed) 1054486/P03 Rev A

Proposed Elevations and Sections units 6-12 (Units 1-5 and 6-12 handed) 1054486/PO4 Rev A

Proposed Site Plan Option B 1054486/PO2V Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 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,
- a. An indicative programme for carrying out of 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 parking of vehicles of site operatives and visitors
 - f. loading and unloading of plant and materials, including permitted times for deliveries
 - g. storage of plant and materials used in constructing the development
 - h. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - i. 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)
 - j. measures to control the emission of dust and dirt during construction
 - k.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 policy TSP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or impede access onto a classified road which could compromise highway safety.

- 4 The premises shall not be used and no machinery or plant machinery shall be operated on the site except between the hours of 07.00am and 06.00pm Mondays to Fridays inclusive and 07.00am and 01.00pm Saturday, and not at any time on Sundays or Public Holidays.

Reason: In the interests of the amenities of the locality in accordance with policies DDM1 of Arun Local Plan.

- 5 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 the interests of road safety and to accord with approved policy in accordance with policy T SP1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until covered and secure cycle parking

spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
in compliance with policy T SP1 of the Arun Local Plan.

- 7 No part of the development shall be first occupied until visibility splays of 2.4m x 35.3m in the primary direction and 2.4m x 35.1m in the secondary direction have been provided at the proposed site vehicular access onto Courtwick Lane in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. 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 current sustainable transport policies in compliance with policy T SP1 of the Arun Local Plan.

- 8 Prior to the commencement of construction works details of a proposed foul disposal shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and the units shall not be occupied until such works 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. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had commenced.

- 9 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.

- 10 No construction activities shall take place, other than between 08.00 and 18.00 hours (Monday to Friday) and between 08.00 and 13.00 hours (Saturday) with no noisy working activities on Sunday or Public Holidays.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun Local Plan policies , QE DM1 & Q DM2.

- 11 Prior to occupation of the units, a noise management strategy, based on the mitigation methods and recommendations as detailed in the Acoustic Associated Sussex Ltd.'s

Environmental Noise Assessment (ref.: J2747, dated July 2019), report, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenity of residents in accordance with Arun Local Plan policies D DM1 QE DM1.

12 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 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.

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.

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.

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.

13 No external lighting shown on the submitted plans shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep / bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its

written consent to the variation.

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

- 14 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 Local Plan.

- 15 The development shall proceed in accordance with the Arboricultural Impact Assessment dated 04-09-2019 by PJC Consultancy reference PJC 5302/19-02 Rev-

Reason: To comply with BS5837 and policy ENV DM4 of Arun Local Plan and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 16 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 17 INFORMATIVE: Works within the Highway
The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the highway works. Further details are available at: <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/road-agreements/>

- 18 INFORMATIVE: For advise in relation to secure by design the applicant/ agent is directed to Sussex Police website at www.securedbydesign.com where the Secured by Design (SBD) Commercial Development 2015 document can be found.

- 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.