

DECISION NOTICE

Application Ref: P/117/21/PL

1 To Addressee

Advoco Planning Limited
14 Sun Hill Crescent
Alresford
SO24 9NJ

2 Site Address

Sefter Farm
Pagham Road
Pagham
PO21 3PX

3 Description of Development

Construction of a new packhouse including relocation of staff parking area and landscaping. This site may affect the setting of a listed building and is in CIL Zone 5 (Zero Rated) as other development.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the following conditions and Section 106 Agreement.

- 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 hereby approved shall be carried out in accordance with the following approved plans:

"Location Plan" dwg 001 Rev 02;
"Proposed Site Layout Plan" dwg 005 Rev 10;
"Proposed Floor Plan" dwg 011 Rev 06;
"Proposed Elevations & Section" dwg 012 Rev 05;
"Indicative Routes of HGV's Through the Site" dwg 03 (appendix 4 to the letter from Highgate Transportation - 05/11/21);
"Car Park Access Visibility Splays" dwg 01 (appendix 4 to the Transport Statement - July 2021);
"Car Park Access Swept Path Analysis" dwg 02 Sheets 1 & 2 (appendix 5 to the Transport Statement - July 2021); and
"Swept Path Analysis HGV" dwg 03 Sheets 1 & 2 (appendix 6 to the Transport Statement - July 2021)

2021.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, HER DM1, HOR DM1, QE SP1, C SP1, LAN DM1, ENV DM5 and T SP1 of the Arun Local Plan.

- 3 No construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work involving power tools or machinery on Sunday or Bank/Public Holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with policy QE DM1 of the Arun Local Plan.

- 4 The new building shall be used as a packhouse for purposes in connection with the storing, packing and distribution of perishable food goods obtained through horticulture or agriculture and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the safety & convenience of the highway network in accordance with Arun Local Plan policies T SP1 and HOR DM1.

- 5 No development including site access, demolition or associated construction activities, shall take place on the application site unless and until a badger survey has been undertaken in order to ensure that badgers are not using the site. If a badger sett is found on the site, then the applicants shall provide a mitigation strategy to the Local Planning Authority for approval in writing to be determined in consultation with Natural England.

Reason: To safeguard resident badgers in accordance with Policy ENV DM5 of the Arun Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because the commencement of development could result in harm to any badgers living within the site area.

- 6 No works (including site clearance and/or preparation) shall commence on the development hereby permitted until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with National Highways). The construction of the development shall be carried out in accordance with the approved Construction Management Plan unless otherwise agreed in writing by the Local Planning Authority (who shall consult with National Highways). In particular, but not limited to, we would wish to see the following information contained within the plan:

- the anticipated number, frequency, types and timing of vehicles used during construction (construction vehicles should avoid the network peak hours of 0800-0900 and 1700-1800 where practicable);
- the parking of vehicles by site operatives and visitors (which must not be within the highway boundary);
- the loading, unloading and storage of plant, materials and waste (which must not be within the highway boundary);
- the erection and maintenance of security hoarding or other appropriate security barriers;
- measures to reduce dust, dirt and any other airborne contaminants and to reduce as far as reasonably possible these passing beyond the site boundaries, which shall include sheeted loads and dampening stockpiles; and

- measures to reduce dust and dirt being deposited on the highway, including wheel washing and sheeted loads.

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

Reason: To ensure that construction of the development does not result in avoidable congestion and disruption on the A27 Trunk Road, to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety in accordance with policies QE SP1, W DM1 and T 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.

- 7 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 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.

- 8 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because the commencement of construction work could harm any archaeology within the site area.

- 9 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on the site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement condition because the approved measures may need to be built into the fabric of the buildings.

- 10 Prior to the commencement of development or any preparatory works, a Soil Resources Plan shall be submitted to the Local Planning Authority for approval in writing. The Soil Resources Plan

shall demonstrate measures to be taken to ensure that the on-site soil resource will be preserved and reused either within the development area or elsewhere on the property. Thereafter, the approved soil resources plan shall be implemented and adhered to throughout the construction of the development hereby permitted.

Reason: To protect and retain the valuable on-site soils in accordance with Arun Local Plan policy SO DM1. This is required to be a pre-commencement condition because otherwise the soils may be lost in the construction of the site.

- 11 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.

- 12 No part of the development, hereby approved, shall be occupied until provision for parking and turning of cars associated with the development has been provided in accordance with the approved plans. Provision should thereafter be maintained solely for the purpose of the parking and turning of vehicles clear of the highway.

Reason: To ensure that adequate provision for the parking and turning of vehicles is provided for the development in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 13 No part of the development shall be first occupied until covered and secure cycle parking spaces for the individual houses have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. No details are required for the proposed flats as the communal store has been approved through the application decision.

Reason: To provide alternative travel options to the use of the car in accordance with Local Plan policies T SP1 & T DM1 and the National Planning Policy Framework.

- 14 Prior to the occupation of any part of the development, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the new parking area shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 15 Prior to first use of the new packhouse, the applicant shall submit an acoustic verification test in writing to the LPA for approval in writing. The test must verify that the noise levels detailed in BS8233:2014 for external recreational areas and internal noise levels are met at the nearest sensitive receptor. If the BS8233:2014 noise levels are not met, then a noise assessment in accordance with BS4142+A1:2019 shall be submitted in writing to the Local Planning Authority for

approval in writing to include recommendations for noise mitigation if required. The agreed mitigation measures shall be implemented and maintained thereafter.

Reason: To protect the amenity of nearby local residents in accordance with policy QE DM1 of the Arun Local Plan.

- 16 Prior to the occupation of any part of the development, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) but also minimise potential impacts to any bats using trees and hedgerows by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 17 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted 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.

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.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the provision of a Travel Plan and its associated monitoring fee (£3,500 at the time of writing) for monitoring and auditing of the Travel Plan.

INFORMATIVE: The Travel Plan/Framework Travel Plan must include sufficient detail regarding how they will be implemented, and their effectiveness monitored. They should contain details of the mechanisms to be used to review the Plans and introduce amended and/or new actions to achieve the stated intentions, if monitoring suggests their intentions are not being achieved.

INFORMATIVE: Any future provision of the safeguarded parking area will require a further planning application in its own right, which should be supported by a full assessment of the impacts of additional vehicle journeys on the local and strategic road networks. This should be submitted to the local planning

authority as part of an application for consideration also by WSCC Highways and National Highways.

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 event plus 40% on stored volumes/rainfall intensity (allowance for climate change) 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 storm event plus 40% on stored volumes/rainfall intensity. 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 at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

INFORMATIVE: The nearest fire hydrant is 160m further away than is required. Should an alternative supply of water for firefighting be considered it will need to conform with the details identified in Approved Document - B (AD-B) Volume 1 2019 edition: B5 section 14.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: 9th August 2022

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on

highway land).