

Recommendation Report for Planning Permission

**REF NO:** P/40/25/PL

**LOCATION:** Sefter Farm Pagham Road  
Pagham  
PO21 3PX

**PROPOSAL:** Erection of warehouse extension and remodelling of existing reservoir. This application is in CIL zone 5 (zero rated) and may affect the setting of a listed building.

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| <b>SITE AND SURROUNDINGS</b> |
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|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DESCRIPTION OF APPLICATION</b> | The application seeks an extension to a warehouse. An existing reservoir will be remodelled.                                                                                                                                                            |
| <b>TREES</b>                      | None of any significance affected by the development.                                                                                                                                                                                                   |
| <b>SITE CHARACTERISTICS</b>       | The site forms part of an agricultural production facility where produce is grown, dried, stored and packed.                                                                                                                                            |
| <b>CHARACTER OF LOCALITY</b>      | The site is in a rural location in the countryside and a defined settlement gap. The site is surrounded by open arable land used for horticultural production. The nearest residential properties are 1 & 2 Sefter School House approx. 158m southeast. |

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| <b>RELEVANT SITE HISTORY</b> |
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|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| P/60/23/PL  | Installation of roof mounted Solar panels (up to 2MW). This application is in CIL Zone 5 (zero rated) as other development and may affect the setting of a Listed Building.                               | ApproveConditionally<br>04-09-23 |
| P/117/21/PL | 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. | App Cond with S106<br>09-08-22   |
| P/107/17/PL | Extension of existing building                                                                                                                                                                            | ApproveConditionally<br>01-12-17 |
| P/76/16/PL  | Construction of a building for the packaging, preparation & distribution of fresh foods with ancillary                                                                                                    | App Cond with S106<br>09-06-17   |

accommodation associated with the existing horticultural business, revisions to internal access road, car parking & hardstanding areas & landscaping & provision of a wetland. This application affects the setting of Listed Buildings.

|            |                                                                                                                                                                        |                                  |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| P/68/15/PL | Glasshouse, balancing pond/irrigation storage, staff facilities, water tanks, security fence & access road. This application affects the setting of a Listed Building. | ApproveConditionally<br>21-10-15 |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|

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|-------------|-----------------------------------------------------------------------|----------------------------------|
| P/105/14/PL | Demolition of agricultural store & extension to agricultural building | ApproveConditionally<br>25-02-15 |
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## REPRESENTATIONS

Pagham Parish Council - No objection.

No representations received from nearby occupiers.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.

WSCC Lead Local Flood Authority - No objection subject to conditions.

Southern Water - Foul Drainage is not required for the proposed development.

WSCC Highways - No objection subject to a condition for a construction management plan.

WSCC Minerals and Waste - No objection.

Conservation Officer - The development would not cause harm to the setting of the designated heritage assets, and not harm their significance.

Natural England - No objection.

ADC Ecology - No objection subject to conditions.

ADC Parks and Landscape - No objection subject to a condition for landscaping detail.

WSSC Fire and Rescue - The nearest fire hydrant is some distance away. If an alternative water supply for firefighting is to be considered it will need to conform with the details identified in Approved Document B.

ADC Drainage - No objection subject to a condition.

#### COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The condition requested by the WSSC Fire and Rescue will be dealt with during any Building Regulations submission.

#### POLICY CONTEXT

Outside Built Up Area Boundary  
Pagham Harbour Zone B  
Gap between Settlements  
Prone to Groundwater Flooding  
Biodiversity Opportunity Area

#### DEVELOPMENT PLAN POLICIES

##### Arun Local Plan 2011 - 2031:

|        |                                                         |
|--------|---------------------------------------------------------|
| DDM1   | D DM1 Aspects of form and design quality                |
| DSP1   | D SP1 Design                                            |
| EMPDM1 | EMP DM1 Employment Land: Development Management         |
| ENVDM2 | ENV DM2 Pagham Harbour                                  |
| QEDM1  | QE DM1 Noise Pollution                                  |
| EMPDM1 | EMP DM1 Employment Land: Development Management         |
| DDM4   | D DM4 Extensions&alter to exist builds(res and non-res) |
| QEDM2  | QE DM2 Light pollution                                  |
| CSP1   | C SP1 Countryside                                       |
| ENVDM4 | ENV DM4 Protection of trees                             |
| ENVDM5 | ENV DM5 Development and biodiversity                    |
| EMPSP1 | EMP SP1 Strategic Economic Growth                       |
| HERDM1 | HER DM1 Listed Buildings                                |
| SDSP3  | SD SP3 Gaps Between Settlements                         |
| HERSP1 | HER SP1 The Historic Environment                        |
| TSP1   | T SP1 Transport and Development                         |
| WDM2   | W DM2 Flood Risk                                        |
| WDM3   | W DM3 Sustainable Urban Drainage Systems                |

##### West Sussex Waste Local Plan 2014:

West Sussex Waste W2 Safeguarding Waste Management Sites

#### PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

**SUPPLEMENTARY POLICY GUIDANCE:**

|       |                                               |
|-------|-----------------------------------------------|
| SPD11 | Arun Parking Standards 2020                   |
| SPD13 | Arun District Design Guide (SPD) January 2021 |

**POLICY COMMENTARY**

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

**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 does not result in harm upon amenity or the character of the area. It also does not result in flood risk and secures a net gain for biodiversity.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

**OTHER MATERIAL CONSIDERATIONS**

There are no other material considerations to be weighed in the balance with the Development Plan.

**BIODIVERSITY NET GAIN**

This application is liable for Biodiversity Net Gain (BNG) and the following is a summary of the key points:

- 18.52% for habitats.
- 55.79% for watercourse units.

**CONCLUSIONS****PRINCIPLE**

The site is outside of the built-up area boundary. Arun Local Plan (ALP) policy C SP1 (f) states development in the countryside, outside the BUAB will be permitted if it accords with other policies in the Plan which refer to a specific use or type of development.

ALP policy EMP SP1 seeks to promote the sustainable growth of the District's economy including enhancing existing and allocated employment sites and premises to meet the needs of business. ALP policy EMP DM1 states the Council will seek to protect and 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 Council will promote and support positive measures to upgrade existing employment areas.

The proposal complies with these policies in such that the development seeks an extension to enable more storage to meet the needs of the business.

Overall, the proposal is in accordance with the requirements of ALP policies EMP SP1 and EMP DM1 and is in accordance with the countryside policy. The principle of the development is acceptable, subject to compliance with other policies in the plan.

Pagham does not have a made Neighbourhood Plan.

#### DESIGN, VISUAL AMENITY AND LANDSCAPING

ALP policies D SP1 and D DM1 require development make the best possible use of land by reflecting or improving on the character of the site/surrounding area. ALP policy D DM4 relates to additions and extensions and requires them to subservient, sympathetic in appearance and not result in overshadowing, overlooking or overbearing impacts.

The building is two storey with a dual pitched roof, clad in steel which is blue/grey in colour. The extension is to the southern end of the existing building to the centre of the site, currently a hard surfaced yard area. This will have a depth of 30m and will run the full length of the building. This equates to around a 30% increase in the size of the building. Whilst relatively large, the extension is of a scale and design which is in keeping with the existing building. The extension will match in height and materials and as such it is well integrated with the host building. The site is also of a sufficient size in such that the extension does not appear as an overdevelopment of the site.

The extension will have loading docks to the front and rear. Whilst there are no other loading docks to the front, this is acceptable in appearance. The roof will feature solar panels which are present on the existing building and has a safety barrier to the eaves which extends along the main building.

There will be alterations to the existing reservoir. There are currently two reservoirs to the south east of the site adjoined via a bank. The northern reservoir adjacent to the extended building will be reduced in size by around 40m in width and 30m in depth. The reservoir will be remodelled in such that will be largely the same size as the adjoining reservoir to the south. This will allow the extension to be accommodated on site and will have a limited visual impact. There are existing brambles and vegetation to the north of the reservoir along the man made bank and new planting is proposed alongside.

The Parks and Landscapes Officer has no objection and notes the proposal includes landscaping to the remodelled reservoir banks. The proposal would blend into the surrounding environment and existing commercial presence in this location.

The proposal would not result in adverse harm upon the appearance of the existing buildings or character of the area in compliance with relevant policies of the ALP.

#### RESIDENTIAL AMENITY

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. ALP policy QE DM1 states new noise generating development should demonstrate there are no suitable

alternative locations for the development and provide a noise report. ALP policy QE DM2 requires that new lighting should not have adverse impact on neighbouring uses or the wider landscape.

The development and alterations are a sufficient distance away from neighbouring residential amenity in such that it will not result in adverse harm by overbearing or overshadowing.

With regards to noise, the extension will serve as a chilled storage area and will require additional plant machinery such as refrigeration to facilitate this. It is understood that there would be three new chiller fan units introduced, each with a sound pressure level of 65dB(A) measured at a distance of 1m. The two dwellings to the immediate north of the site entrance are associated with the site itself; furthermore they would be entirely screened from any new plant by the existing buildings and features. The next closest dwelling with any potential to be impacted by site noise would appear to be the Old Sefton School House around 250m to the southeast of the extension. A noise assessment has been submitted which concludes that any increase in noise for both day and night time scenarios would result in a low adverse impact and the plant machinery would likely be inaudible to the nearest residential dwelling as a result of the separation and by way of existing noise output. Environmental Health assessed the proposal and raise no objections on grounds of noise or light.

In terms of external lighting, the site is outside the built up area boundary. It is already a large scale operational site. The location of the extension is an existing illuminated yard area and the level of illumination is likely no greater than existing. There is sufficient screening around the site, however no lighting detail is included. A condition will be included so if any additional external lighting is proposed the amount and the brightness levels can be assessed.

The development would not result in adverse harm upon neighbouring amenity and accords with ALP policies D DM1 and QE DM2.

#### BIODIVERSITY

ALP policy ENV DM5 requires development schemes achieve a net gain in biodiversity and protect habitats on site.

The site is approximately 1.9km from the Pagham Harbour SPA/Ramsar Site. There is no conflict with ALP policy ENV DM2 as although the site lies in the Pagham Harbour Zone B, mitigation is only required for residential developments as these may result in increased footfall in the SPA.

There is limited biodiversity on site. The existing building has no visible roof voids or crevices suitable for roosting bats. Furthermore the materials and construction do not offer suitable roosting conditions, along with the levels of activity at the site and associated noise, the building has negligible suitability for bats. The wider habitat on site is sparse and largely unsuitable for bats when compared to the surrounding landscape.

The site is considered to have very low suitability for reptiles. There are 4 ponds within 500m of the site. There are no aquatic habitats present that could support breeding Great Crested Newts and the reservoirs are devoid of vegetation or shelter.

The scrub present is limited in extent and isolated from woodland and as such hazel dormice are not present on site. There may be suitable foraging opportunities for hedgehogs and it is likely they pass through the site. The mixed scrub, whilst relatively limited and somewhat fragmented, remains the most ecologically valuable area of the site for birds on-site provides suitable opportunities for nesting birds, offering cover, shelter, and structure for species such as blackbird, robin, wren, and dunnock.

Mitigation measures are proposed including dust suppression measures, suitable storage of materials

and compliance with precautionary working method statements such as inspecting the area prior to works and following an agreed procedure should reptiles be found. Clearance of any scrub should be undertaken outside of the nesting season. Enhancements are also proposed, including the installation of a bat and bird boxes and log piles. The Councils Ecologist has no objection to the works. Specific details of the location, specification and number of enhancements should be conditioned.

With regards to mandatory biodiversity net gain, the development will secure 18.52% for habitats and 55.79% for watercourse units. A proportion of the habitats and ditched being delivered are of medium distinctiveness. The habitat units of medium distinctiveness are over 3 habitat units, and the watercourse units are 0.97. The BNG is considered significant and should be secured by a S106 agreement. This has been completed.

Subject to conditions and securing a S106, the proposal complies with ALP policy ENV DM5.

#### HERITAGE

Policy HER DM1 requires that proposals protect and, where possible, enhance the setting of Listed Buildings.

Policy HER SP1 states that proposals should relate sympathetically to the historic environment.

There are two Grade II Listed Buildings (Sefter Farmhouse & its associated Granary) within the wider Barfoots site. This is approximately 220m from the building. Further to the south is Rookery Farmhouse, which is identified as being a C18, detached house of two storeys and attic. It is faced with cement. Doorway with pilasters and pediment. It is of architectural and historical significance.

Paragraph 207 of the NPPF states 'LPA's should require the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting'.

The extension is to the south of the host building and to the opposite elevation of Sefter Farmhouse. The existing building and others are already located within the setting of the listed buildings. As a result the way the listed building is experienced is already been impacted in some way.

The supplied heritage statement notes its significance however acknowledges the setting has been compromised by later modern buildings. No works are proposed to the listed building or within its historic curtilage and the extension is some distance from the identified asset. There are no viewpoints where the listed buildings and the development proposed would be viewed together in a way that might impact upon its setting.

The Conservation Officer assessed the application and states the development would not impact the setting of both listed buildings and as a consequence there is no harm to the overall significance of the heritage assets.

The proposal would not result in adverse harm upon the heritage assets or its setting in accordance with ALP policies HER DM1 and HER SP1 and the NPPF.

#### DRAINAGE AND FLOOD RISK

The site is not affected by flooding from rivers/sea and is not predicted to be so in the future. ALP policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) as appropriate to the size of development.

The geology of the area is clay and not suitable for infiltration with groundwater around 0.7- 0.8m below ground level.

Currently the site drains surface water collected from the roof of the existing pack house and the area to the west of the packhouse via a piped drainage network and pumped to an irrigation reservoir to the northeast of the Sefter Farm site. Surface water from hardstanding drains to a watercourse to the south of the packhouse. The proposed development will continue to drain in a similar way with surface water collected from the new roof draining to the existing reservoir for irrigation, and surface water collected from the new hardstanding will be discharged at a restricted rate to the watercourse. The existing watercourse to the south of Sefter South packhouse will be to the south of the new extension. The existing reservoir will be altered in size and shape. The drainage network has been designed to accommodate a 1 in 100 year+ 45% storm event.

The Lead Local Flood Authority have no objection to the drainage scheme proposed subject to the submission of details via condition. Southern Water have acknowledged that foul drainage is not required for the development.

Following additional information, the ADC Drainage Engineers have provided no objection. The existing reservoir has a 150mm diameter outflow pipe at its northwest corner that is set 500mm below the top bank of the reservoir. This outflow pipe discharges to the existing ditch located adjacent to the reservoir bank. That ditch follows the alignment of the access road / track to the south and discharges into the Pagham Rife to the southwest of the temporary staff accommodation field. Calculations have been undertaken which show that the existing outfall will be retained and will not result in an increase in flood risk. This would also be the case if the existing use ceased.

The proposal provides sufficient information to demonstrate that surface water can be adequately discharged now and in the future should the operations at the site change. This complies with ALP policies W DM2 and W DM3.

#### PARKING AND HIGHWAYS

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; and promotes sustainable transport.

The development whilst increasing the operational footprint of the building, will likely result in a reduction in traffic to and from the site.

Currently some products get taken off site to be stored as there is insufficient space on site. The product is then brought back at a later date when it is ready for processing. There are approximately 2 main periods of the year of around 16 weeks where storage is exceeded and during this time there is an average of 50 HGV movements per week to move the product off site before returning it. The extension would allow enough space for product to be stored on site, removing the need to transfer material and therefore result in a reduction of HGV movements.

The main vehicular access from Pagham Road for both staff vehicles and HGVs is to be retained. Approved application P/117/21/PL does amend the access to the packhouse via a new roundabout however this has not yet commenced. There are no concerns raised with existing or proposed access arrangements.

Arun Parking Standards SPD detail that B8 Storage require one parking space per 100sqm. The extension to the packhouse of 2,178sqm would require 22 parking spaces in accordance with the parking standards. No additional parking spaces are proposed. However no additional staff members are proposed and given the area is solely for storage and with the reduction in vehicular movements, this is acceptable. 219 spaces are retained and this is sufficient.

There is an existing travel plan and monitoring obligation secured under P/117/21. Whilst it would be useful for the Travel Plan to be updated to make reference to this application, there is no need to specifically secure the Travel Plan under this permission as proposals do not result in increase in vehicle movements.

WSCC have no objection and with no changes proposed to already accepted access and parking arrangements and no increase in vehicle movements anticipated, there are no highway safety or capacity concerns to the proposals.

The proposal will help to reduce traffic movements from the site and is in accordance with ALP policy T SP1 of the Arun Local Plan.

#### **GAP BETWEEN SETTLEMENTS**

The site lies within a designated Strategic Gap and ALP policy SD SP3 states development in strategic gaps will only be permitted where it meets certain criteria.

The proposal complies with the policy as the site is already developed and part of an existing long established food production facility so there will be no effect on the integrity of the gap or the physical/visual separation of settlements.

The policy states development will only be permitted within the gaps subject to certain criteria. This includes that it would not undermine the physical and/or visual separation of settlements and would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development.

The proposal complies with these criteria. The extension proposed is relatively minor in size when compared to the scale of the existing building. Whilst other development has been approved at the site and not yet commenced, cumulatively the proposal would not compromise the physical/visual settlement.

The extension and alterations to the reservoir would not compromise the integrity of the gap and would accord with ALP policy SD SP3.

#### **WASTE SAFEGUARDING**

The site is within a 500m buffer area of a safeguarded waste site defined by the West Sussex Waste Local Plan (2014). Policy W2 of this Plan states that development should not prevent or prejudice the use of an existing waste management site.

Barfoots has an existing anaerobic digester (AD) plant which is southwest of the proposed site on the western side of a large reservoir. No changes are proposed to the anaerobic digester currently on site which produces energy from the vegetable waste, primarily sweetcorn husks. The development will be powered entirely from this renewable source along with solar power.

WSCC Minerals and Waste have assessed the application and consider that there is no conflict with the policy.

The proposal would not prevent or prejudice the continued operation of the safeguarded waste infrastructure, as required by Policy W2 of the WSCC Waste Local Plan.

#### **SUMMARY**

The development falls outside the BUAB although the principle of development is acceptable subject to compliance with relevant policies. The proposal is complies with relevant development plan policies relating to aspects such as design, amenity, flood risk, highways and heritage. The proposal also

contributes towards the local economy.

The application is recommended for approval subject to the following conditions and informatives.

#### **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.

#### **SECTION 106 DETAILS**

A S106 was requested by the ecologist and has been completed. This secures land within the ownership of the applicant to deliver biodiversity net gain.

#### **CIL DETAILS**

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

#### **RECOMMENDATION**

- 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 P001 Rev 02

- Proposed Site Layout Plan - P004 Rev 03
- Proposed Elevations - P116 Rev 03
- Proposed Floor Plans - P115 Rev 02
- Proposed Site Sections - 401 Rev A
- Reduced Sized Reservoir Plan and Section - 251 Rev A
- Proposed Alignment Ditch - 252 Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D SP1 and D DM1.

- 3 No development shall take place, including any works of demolition, 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 Arun Local Plan policy D DM1 and TSP1.

- 4 Prior to the commencement of development, the following details must be submitted and approved in writing by the Local Planning Authority.
- A condition survey of the existing outfall proposed to connect part of the swale diversion.
  - Full details of the siphonic drainage system.
  - Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms.

If the details require any further works to the drainage system then this shall be completed in full prior to operation of the building.

Following the approval of the above, the scheme shall be constructed as per the approved plans.

- Site layout - Proposed Drainage sheet 1 - 201 Rev A
- Site Layout Proposed Drainage sheet 2 - 202 Rev A
- Proposed Realignment Ditch - 252 Rev A
- Proposed Site Sections - 401 Rev A
- Construction Details - Drainage - 511
- Construction Details - Drainage - 512 A
- Construction Details - Headwalls - 513

Reason: In order to comply with Arun Local Plan policies W DM3 and the NPPF. This is required pre-commencement to ensure that drainage is in place prior to construction.

- 5 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 Arun Local Plan policies W DM1, W DM2 and W DM3. 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.

- 6 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the 'Ecological Impact Assessment, Imprint Ecology, March 2025' shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).

- 7 Prior to the commencement of development hereby approved, but after the approval of the Statutory Biodiversity Gain Plan, a Habitat Management and Monitoring Plan (HMMP), shall be submitted to and approved in writing by Arun District Council. The HMMP shall include:

1. A non-technical summary;
2. The roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Statutory Biodiversity Gain Plan, together with a timetable for its provision;
4. The management measures to maintain all habitats identified in the HMMP for a period of 30 years from the completion of development;
5. The monitoring methodology and frequency (and content of reporting) in respect of the created or enhanced habitat/s to be submitted to Arun District Council; and
6. How contingencies and/or remedial action shall be identified, agreed and implemented where the results of the monitoring show that the conservation aims and objectives of the HMMP are not being met, so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Thereafter, habitat creation and enhancement works shall be delivered, managed, maintained and monitored in accordance with the approved HMMP, with notice given in writing to Arun District Council when the habitat creation and enhancement works as set out in the HMMP have been completed. Monitoring reports together with any required contingencies and remedial action shall be submitted to the Arun District Council and agreed in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure measurable net gains to biodiversity and in accordance with the Environment Act 2021 and Arun Local Plan policies ENV SP1 and ENV DM5. This must be a

pre-commencement condition because it relates to the creation and retention of biodiversity net gain in accordance with schedule 7A to the Town and Country Planning Act 1990.

- 8 Prior to any part of the new development being first brought into use/occupied, a bat friendly Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5.

- 9 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 soft landscaping detailing the native planting proposed. This information needs to include species type with quantities, planting densities and size at time of planting 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 Arun Local Plan policy D DM1.

- 10 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 11 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.

- 12 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to biodiversity net gain.