



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2015
Application for Planning Permission
DECISION NOTICE

Application Ref: P/76/16/PL

1

To Addressee

Advoco Planning Limited
 14 Oak Hill
 Alresford

 SO24 9LB

2

Site Address

Sefter Farm
 Pagham Road

 PO21 3PX

3

Description of Development

Construction of a building for the packaging, preparation & distribution of fresh foods with ancillary 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.

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

No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls (and roofs) of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

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

P101 Rev 03
P102 Rev 12
P104 Rev 01
P106 Rev 04
P107 Rev 05
288-01-04

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The development shall not become operational or be occupied until a detailed scheme of external lighting has been submitted to and approved in writing by the Local Planning Authority. The development should be carried out in strict accordance with the approved details. The scheme shall be maintained and shall thereafter not be altered without the prior written approval of the Local Planning Authority. Any floodlighting shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its written consent to the variation. External lighting in association with this development shall comply with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light Environmental Zone E2.

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 policies GEN7 and GEN31 of the Arun District Local Plan

- 5 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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 policies GEN7 and GEN31 of the Arun District Local Plan

- 6 The development, hereby permitted, shall not be occupied until the vehicular and pedestrian accesses have been implemented as per Drawing Nos. 020.0259.004 and 020.0259.005 and in-compliance with the recommendations of the approved Safety Audit. When complete, both accesses shall thereafter be permanently maintained so as to provide the agreed visibility splays.

Reason - To ensure fit-for-purpose accesses to and from the site constructed to a suitable standard and in compliance with Road Safety recommendations in accordance with the National Planning Policy Framework.

- 7 No part of the development shall be first occupied until the car and HGV parking has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason - To provide off street car-parking space for the use in accordance with the National Planning Policy Framework and GEN7 of the Arun District Local Plan.

- 8 No part of the development shall be first occupied until secure and covered motorcycle and cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason - To provide adequate parking for motorcycles for the use in accordance with the National Planning Policy Framework GEN7 & GEN12 of the Arun District Local Plan.

- 9 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason - To encourage and promote sustainable transport in accordance with the National Planning Policy Framework, GEN7 & GEN12 of the Arun District Local Plan.

10

Prior to development commencing, a Construction Management Plan shall be submitted to and be approved in writing by the Local Planning Authority after consultation with the Highway Authority. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

- the phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- Details of street sweeping;
- construction working times including delivery times;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
- Evidence of consultation with neighbours prior to works commencing.
- Details of any temporary traffic management that may be required to facilitate the development including Chapter 8 traffic signage;
- A Section 59 Agreement (only if HGV construction vehicle numbers exceed 20 per-day throughout course of development).

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 - The ensure safe and neighbourly construction in the interests of amenity and road safety GEN7 & GEN12 of the Arun District Local Plan.

This condition needs to be pre-commencement as these travel details are required to be agreed before works commences as they are directly linked to works being carried out on site.

11

Prior to the development being first brought into use, full details of the proposed wetland and associated landscaping shall be submitted to and approved, in writing by the Local Planning Authority. The agreed details and construction of the wetland and associated planting and landscaping shall then be carried out within one calendar year of date the of their approval by the Local Planning Authority.

Reason: In the interests of amenity and biodiversity in accordance with GEN29 of the Arun District Local Plan.

- 12 No development shall take place regarding the proposed wetland area 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 Planning Authority.
- Reason: The site is of archaeological significance in accordance with Arun District Local Plan Policy GEN7.
- 13 Landscaping shall be carried out in accordance with the details shown on plan Ref "Landscape and Visual Impact Assessment". All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons 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 5 years from the completion of the 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 GEN7 of the Arun District Local Plan.
- 14 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.
- No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.
- Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. 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.

- 15 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and 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 GEN7 and GEN9 of the Arun District Council 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.

- 16 Development shall not commence until full details of:-

- (i) Measures to avoid pollutants entering any waterbodies during construction;
- (ii) Design of Sustainable Drainage Systems (SuDS) to treat surface water run-off and water generated by processes undertaken by the food preparation and packing plant;

have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be carried out (i) during construction and (ii) in perpetuity for the surface water and water generated by processes undertaken by the food preparation and packing plant.

Reason: To ensure that the proposed development does not allow pollutants into the Pagham Rife which flows into a designated RAMSAR/SPA site and SSSI in accordance with policies GEN23 and GEN29 and of the Arun District Council Local Plan. This is required to be a pre-commencement condition as it is necessary to implement the approved measures to prevent pollutants entering the water system prior to commencing any building works.

INFORMATIVE: Drainage Engineers advise that 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 BRE 365, 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 30% 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 are also available on request.

INFORMATIVE: The new development will need to comply with the standards contained in the relevant Food Hygiene Regulations prior to becoming operational.

INFORMATIVE: Licence to maintain - The applicant should contact West Sussex County Council Local Area Highways Manager to obtain necessary consent to maintain vegetation on highway land for visibility purposes (both vehicular and pedestrian access points).

INFORMATIVE: S59 Agreement - The applicant should contact West Sussex County Council Legal Services to obtain necessary information to enter into the Section 59 Agreement under the Highways Act 1980 as referred to in condition 5 above. This Agreement is required due to the extraordinary traffic that would be generated during the construction works and to provide a means of making good the public highway following the cessation of construction traffic and building work on the site.

INFORMATIVE: Public Rights of Way (PRoW) - The applicant should contact West Sussex County Council Legal Services Team in order to establish the appropriate procedure for any diversion or Stopping Up of PRoW if so required. No works (including obstructions/closure etc.) should be commenced to/on the highway until appropriate permissions are received to do so.

The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to Highways contributions.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.


Neil Crowther
Group Head of Planning

Case Officer: Richard Temple

Date of Decision:

9 June 2017

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 12 weeks 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.

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).