

DHA Planning
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone

Please ask for: Mr S Davis
Email: Simon.Davis@arun.gov.uk
Telephone: 01903 737874
Our Ref: WA/18/26/PL
Your Ref:
Date: 29th September 2026

Dear Mrs Hornsby,

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

Erection Of 64 Residential Dwellings With Access Off Arundel Road, Together With Associated Parking, Open Space, Play Space, Landscaping, Drainage And Infrastructure. This Application Is A Departure From The Development Plan, Affects A Public Right Of Way, May Affect The Setting Of Listed Buildings And Is In Cil Zone 3 And Is Cil Liable As New Dwellings.

Land Off Arundel Road Fontwell

From 1 October 2018 section 100ZA(5) of the Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

The following Pre Commencement Condition/s are Proposed:

- 9 No development shall take place, until a Construction and Environmental Management Plan and accompanying Site Setup Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with National Highways, WSCC Highways, Portsmouth Water and the Council's Environmental Health Officer as appropriate). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. 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:
1. The phased programme of construction works.
 2. The anticipated, number, frequency, types, and timing of vehicles used during construction (construction vehicles should avoid the strategic road network during the peak hours of 0800-0900 and 1700-1800 where practicable).
 3. The preferred road routing for all construction traffic associated with the development.

4. Provision of wheel washing facilities (details of their operation and location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders).
5. Details of street sweeping.
6. Details of a means of suppressing dust and dirt arising from the development.
7. A scheme for recycling/disposing of waste resulting from demolition and construction works (i.e., no burning permitted).
8. Details of all proposed external lighting to be used during construction (including location, height, type and direction of light sources and intensity of illumination).
9. Details of areas for the loading, unloading, parking, and turning of vehicles associated with the construction of the development.
10. Details of areas to be used for the storage of plant and materials associated with the development.
11. Details of the temporary construction site enclosure to be used throughout the course of construction (including access gates, decorative displays and facilities for public viewing, where appropriate).
12. Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
13. Details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works.
14. Details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage.
15. 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).
16. Management of overland runoff from the site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks or spillages; and
17. The storage of hazardous materials, chemical and hydrocarbons on the site.

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.

No demolition/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 on Sunday or Bank/Public Holidays.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises, the safety and general amenities of the area, and in the interests of highway safety in accordance with Arun Local Plan policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 and the NPPF. 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.

- 10 Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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 (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
2. A 'Site Investigation Scheme', based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. Based on the 'Site Investigation Scheme' and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A 'Verification Plan' 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 parts, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to occupation of any dwelling (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 Plan, 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.

- 11 Prior to commencement of the development, a proportionate surface water drainage scheme construction method statement shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall thereafter be constructed in accordance with the approved construction method statement, approved Flood Risk Assessment and Drainage Strategy and remain in perpetuity for the lifetime of the development. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure drainage provisions meet the National Standards for Sustainable

Drainage Systems and do not increase flood risk on or off site, and to comply with NPPF and Arun Local Plan policies W DM2 and W DM3. 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.

- 12 Prior to the commencement of development, a detailed level survey of the site including existing and resulting ground levels and the finished floor or slab levels of the buildings the subject of this approval, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area and neighbouring residents in accordance with Arun Local Plan policy D DM1. This is required to be a pre-commencement condition because site levels must be set prior to works commencing on the new houses as otherwise it would be difficult and expensive to rectify any changes.

- 13 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design, and subsequent management / maintenance) and no dwelling shall be occupied until works for the disposal of sewage 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 Arun Local Plan policies W DM1 and W DM3. This is required to be a pre-commencement condition because it is necessary to implement the foul water drainage system prior to commencing any building works.

- 14 No development shall commence 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 in writing 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 otherwise the disturbance of earth could harm important deposits.

- 15 Prior to commencement of development the applicant shall prepare and submit for approval in writing, an Employment and Skills Plan. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Arun Local Plan policy SKILLS SP1. This must be a pre-commencement condition as it relates to the construction phase of development and to ensure measures are in place so that local crafts people and apprentices are employed on the development.

- 16 Prior to the commencement of development a scheme for incidental extraction of the safeguarded mineral resources underlying the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited

to:

- An assessment of the extent, volume and practicability for incidental extraction, which shall be based on detailed ground investigations; and
- The methodology for which any identified incidental mineral extraction would be carried out, which shall include a detailed programme/phasing of extraction, and details of the proposed destination/use of the mineral.

Reason: In the interests of safeguarding important minerals in accordance with West Sussex Joint Minerals Local Plan Policy M9. This is required to be a pre-commencement condition because extraction works will need be agreed and ready to start upon commencement.

- 17 Development shall not commence, until a Soil Resource Plan has been submitted to and approved in writing by the Local Planning Authority. This shall set out how the best and most versatile soils on the site are to be protected during construction and then recycled/reused in the new development layout. The soil protection/mitigation measures shall be implemented as per the document and then permanently adhered to throughout the construction and development of the site.

Reason: In accordance with Arun Local Plan Policy SO DM1 and the NPPF. It is necessary for this to be a pre-commencement condition to protect the best and most versatile soils on the site prior to the construction commencing.

- 18 Prior to any development commencing, a Dormouse method statement shall be submitted to and approved in writing by the Local Planning Authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Dormice during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species), and Arun Local Plan policy ENV SP1. This is required to be a pre-commencement condition as otherwise there would be a risk of harm to protected species and their habitat.

- 19 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.

- 20 No piling or any other foundation construction using penetrative methods shall be carried out other than with the express written consent of the Local Planning Authority (who shall consult with the Environment Agency and Portsmouth Water). The development shall be carried out in accordance with the approved details.

A piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration, and the programme for the works) should be submitted to and approved in writing in consultation with Portsmouth Water.

It must be demonstrated that any proposed piling:

1. Will not result in contamination of groundwater.
2. Will not increase risk to drinking water supplies (including turbidity); and
3. Will not deteriorate the transmissivity of the aquifer.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable water supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. This condition is imposed in accordance with Arun Local Plan policies W SP1 and W DM1 and the NPPF. This is not strictly a pre-commencement condition as other means of foundations are available however, if piling must be used then these details must be agreed prior to commencement and this condition is required because otherwise the water supplies under the site could be adversely affected.

- 21 Prior to any works commencing, an air quality assessment must be submitted to and approved in writing by the Local Planning Authority. The applicant must follow the Air

Quality and Emissions Mitigation Guidance for Sussex (2021) (or any successor document). The assessment shall include full details of the measures necessary to mitigate the emissions as calculated in the assessment.

Reason: To protect the amenity of local residents in accordance with Arun Local Plan policies QE SP1 and QE DM3. It is necessary for this to be a pre-commencement condition because all aspects of the development, from commencement onwards, will impact upon air quality.

OPTIONS:

1. Confirm your acceptance in writing by the **14th October 2026**.
2. Choose not respond (i.e. remain silent). If there is no response by the **14th October 2026** the Local Planning Authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice.
3. Provide comments before the **14th October 2026** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **14th October 2026** that you do not agree to the terms of the proposed pre-commencement condition, in which case the Local Planning Authority may then either:
 - a. grant planning permission without the pre-commencement condition,
 - b. seek written agreement to an alternative pre-commencement condition, or
 - c. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact the case officer on the above extension.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website <https://www.arun.gov.uk/privacy-policy/>

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.

To register to receive notification of planning applications in your area, please go to <https://www1.arun.gov.uk/planning-application-finder>