

LHU/P18-1110PL

1st November 2018

Michael Eastham
Planning Department
Arun District Council
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Planning Portal Reference: PP-07373297

Dear Mr. Eastham

**Application to Discharge Conditions 5, 9, 10, 11, 12 13, 16, 17, 24, 25, 27, 28, 30, 32, 33, 36, 38, 39, 41, 42 and 43 attached to Outline Planning Permission WA.44.17.OUT for 175 dwellings and associated works.
Land East of Tye Lane, Walberton**

I am writing on behalf of my client, Linden Homes (South) to submit information in connection with the above application, to discharge various pre-commencement planning conditions.

The site has the benefit of outline planning permission which was granted in February 2018 for a development comprising of the following;

“Outline application with some matters reserved for up to 175 dwellings, new vehicular access, together with associated car parking, landscaping and community facilities to include allotments, play space and community orchard”

This application seeks the approval of details, relating to the following:

- Condition 10 – Tree Protection Scheme;
- Condition 11 – Hard & Soft Landscaping;
- Condition 12 – Ecology Surveys;
- Condition 13 – Ecological Management & Mitigation Plan;
- Condition 16 – Refuse Strategy;
- Condition 17 – Parking Details;
- Condition 24 – Drainage Strategy;
- Condition 25 – Surface Water Drainage;
- Condition 27 – Watercourse Drainage;
- Condition 28 – Drainage Management;
- Condition 30 – Watercourse Access;

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT



Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester

Pegasus Group is a trading name of Pegasus Planning Group Limited [07277000] registered in England and Wales
Registered Office: Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT

Page | 1

- Condition 32 – Drainage Designs;
- Condition 33 – SuDS Management;
- Condition 36 – Tree Protection Scheme;
- Condition 38 – Badger Survey;
- Condition 41 – Travel Plan;
- Condition 42 – Parking Details; and
- Condition 43 – Cycle Parking.

We are also seeking formal discharge of conditions 5, 9 and 39 which require details to be submitted as part of the Reserved Matter Application. The details have been submitted so are not duplicated in this application.

I now enclose details to discharge these pre-commencement conditions.

Condition 10 states:

“a. Prior to the commencement of development or other operations likely to affect trees being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

b. No operations affecting trees shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening of any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

c. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced-off or otherwise protected in the approved scheme.

d. Protective fencing shall be retained intact until completion of the development hereby approved and shall not be removed or re-positioned without the prior written approval of the Local Planning Authority.”

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Tree Survey	BHA_401_01_1TS	-
Tree Schedule	BHA_C_2636	-
AIA Report	BHA_C_2636_AS	-

Condition 11 states:

“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.”

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Landscape Management Plan	3823_03	-
Soft Landscaping Plans 1 of 3	3823_101	-
Soft Landscaping Plans 2 of 3	3823_102	-
Soft Landscaping Plans 3 of 3	3823_103	-
Hard Landscaping Plans 1 of 3	3823_104	-
Hard Landscaping Plans 1 of 3	3823_105	-
Hard Landscaping Plans 1 of 3	3823_106	-
POS Plans	3823_107	-
POS Plans	3823_108	-
POS Plans	3823_109	-
POS Plans	3823_110	-
POS Plans	3823_111	-
LEAP Plan 1	3823_112	-
LEAP Plan 2	3823_113	-

Condition 12 states:

“Development shall not begin until further ecological surveys have been carried out and submitted to the Local Planning Authority. These surveys shall relate to water voles, bats, birds, invertebrates and reptiles.”

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Ecological Technical Note	3823_01	A

Condition 13 states:

"Prior to the commencement of construction works or any preparatory works detailed Ecological Management and Mitigation Plan including a Schedule of Works shall be submitted to the LPA for approval and will be based on the recommendations within the supporting Preliminary Ecological Appraisal Report, and the Bat and Reptile Survey Report (September 2017) . All approved details shall then be implemented in full and in accordance with the agreed timings and details.

The Ecological Management and Mitigation Plan shall include but not be restricted to:

- **timings for clearance of trees or scrub to avoid impacts on breeding birds**
- **two phased cutting of grassland along site boundaries to deter reptiles and amphibians**
- **details of compensatory and additional tree planting**
- **details of compensatory boundary habitat planting**
- **details and location of bird and bat boxes, log piles around the site boundaries**
- **creation of at least three wildlife ponds**
- **boundary features to measure at least 5m width for the majority of the site to allow for commuting badgers**
- **measures to minimise the disturbance of badgers**

Should the detailed layout of the site require the removal of further trees which have the potential to support bats, a climbed tree inspection survey will be required."

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Ecological Technical Note	3823_01	A
Ecological Mitigation and Management Plan	3823_02	-
Ecological Assessment by EPR (from Outline)	Dated June 2017	-
Ecological Addendum by EPR (from Outline)	Dated 31.8.2017	-
Ecological Addendum by EPR (from Outline)	Dated 21.9.2017	-

Condition 16 states:

"No dwelling shall be occupied until refuse and recycling bins have been provided and space has been laid out for their storage in relation to that dwelling in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall not be used for any purpose other than the storage of refuse and recycling bins."

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Bin and Cycle Stores	LIND171208CRP.01	A
Swept Path Plan	1832400-006	-

Condition 17 states:

"No dwelling shall be occupied until space for that dwelling has been laid out for the parking of cars, motorcycles and cycles in relation to that dwelling in accordance with a drawing and schedule to be submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter not be used for any purpose other than the parking of cars, motorcycles and cycles."

Condition 42 states:

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

Condition 43 states:

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

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Parking Strategy Plan	LIND171208 PSP01	A

Condition 24 states:

"Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and implementation timetable has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable."

Condition 25 states:

"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."

Condition 28 states:

"Development shall not commence until full details of the maintenance and management of the SuDS 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

- a. details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and arrangements for the replacement of major components at the end of the manufacturers recommended design life; and b. arrangements for the replacement of major components at the end of the manufacturers recommended design life."

Condition 32 states:

"Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water run-off generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event."

Condition 33 states:

"Development should not commence until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs."

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
FRA Addendum Note	183240-01	

Condition 27 states:

"The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run off values."

Accordingly, as set out in the FRA Addendum Note, there are no watercourses present on site which would be affected. We request that this condition is discharged.

Condition 30 states:

"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."

Accordingly, as set out in the FRA Addendum Note, there are no watercourses present on site which would be affected. We request that this condition is discharged.

Condition 36 states:

"The existing trees/bushes/hedges shall be/retained/protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

No trees/or bushes/growing/and to be retained/on the site shall be damaged, uprooted, felled, topped or lopped without the prior written consent of the Local Planning Authority until 2 years after completion of the development hereby permitted. Any trees removed without such consent or being severely damaged or becoming seriously diseased or dying before the end of that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree."

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Tree Survey	BHA_401_01_1TS	-
Tree Schedule	BHA_C_2636	-
AIA Report	BHA_C_2636_AS	-

Condition 38 states:

"Prior to start on site a badger survey should be undertaken to ensure badgers are not using the site."

Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Ecological Technical Note	3823_01	A

Condition 41 states:

"No part of the development shall be first occupied until a revised 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 revised 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."

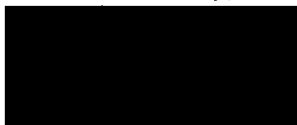
Accordingly, please find enclosed the following for consideration:

Title	Drg No.	Rev
Residential Travel Plan	183240-07	-

Please also find enclosed an application form for the approval of details reserved by a condition, duly signed and completed.

I trust the enclosed will allow the application to progress at the earliest opportunity. However, please do not hesitate to contact me should you have any queries.

Yours sincerely,



Laura Humphries
Associate Planner

Email: L [redacted]

Enc.

Cc Yuved Bheenick, Linden Homes (South)