

[REDACTED]

From: Lisa Jackson [REDACTED]
Sent: 18 May 2022 14:44
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Andrew Tice [REDACTED] Jacintha Carty [REDACTED] Andy Higgins [REDACTED] Bava Sathan [REDACTED]
Subject: Re: Y/3/22/OUT Land West of Bilsham Road, Yapton - PC Conditions

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Dear Simon

As discussed I have consulted both the applicant, the consulting engineers Campbell Reith, and the preferred developer BoKlok, who are at advanced stages of negotiation to acquire the site should planning permission be granted.

I attach a marked up version of the draft pre-commencement conditions with explanation/justification given as a series of footnotes.

Following the experience of Boklok at Littlehampton with application LU/116/21/PL we have sought to exclude enabling works from being caught by pre-commencement consistent with the approach in that application.

Most of the suggested changes are self-explanatory.

The standard condition 10 does not reflect the full winter monitoring has now been completed and the full results (consistent with the earlier results reported in the FRA) will be submitted by the engineers before committee; this underpins that infiltration may not be the most suitable surface water strategy, hence the revised wording suggested for condition 10.

Condition 11 does not need to be a pre-commencement condition, it is only necessary as pre-occupation as the LPA have complete control of the surface water scheme under condition 10.

Condition 12 is unnecessary as all of this work has been completed in full in the Land Quality Assessment submitted as part of the application submission. Only condition 37 (repeated as 81 for the outline) is necessary in respect of potential contamination.

Condition 15 The phased approach is welcome as availability of products may change over the life of the development and will reflect the changes to building control in June this year. The condition could be triggered by development above DPC, as the energy solutions are part of the detailed design for construction, and need not be a pre-commencement condition.

Having now seen the remaining conditions in the committee report conditions 63 and 68 repeat 10 and 12 and are already covered by information submitted as part of the application, so perhaps should be adjusted for consistency.

I hope that is helpful but should you require any more information please let me know.

Kind regards,
Lisa

Lisa Jackson MA, BSc MRTPI
Jackson Planning Ltd
Fox Barn, Lower Chute,
Andover, Hants, SP11 9DU


www.jacksonplanning.com


On 9 May 2022, at 12:02, Simon Davis <Simon.Davis@arun.gov.uk> wrote:

Hi Lisa,

Apparently our system isn't set up to generate the standard letter for a hybrid application. Therefore, I have produced the following request manually:

..

Dear Mrs Jackson,

Town and Country Planning (Pre-commencement Conditions) 2018

Notice of intention to impose pre-commencement conditions

Hybrid Application comprising of Full application for Phase 1 for 30 No residential dwellings, new access from Bilsham Road, public open space, landscaping, sustainable urban drainage and associated works; and Outline planning application for further phases of up to 110 No dwellings and associated infrastructure (with all matters reserved). This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.

Land West of Bilsham Road, Yapton

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 on the Full part of the application:

7 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 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 it is not possible to carry out archaeological survey work once development including roads, foundations and surface infrastructure has commenced.

8 No development shall take place, including any works of demolition, until a Construction & 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, the Councils Environmental Health Officer and Ecologist 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:

- the phased programme of construction works;
- 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);
- the covering of any loose loads with suitable sheets;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities (details of their operation & location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- details of street sweeping;
- details of a means of suppressing dust & dirt arising from the development;
- a scheme for recycling/disposing of waste resulting from demolition and construction works (i.e. no burning permitted);
- details of all proposed external lighting to be used during construction (including location, height, type & direction of light sources and intensity of illumination);
- 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, decorative displays & facilities for public viewing, where appropriate);
- contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details);
- details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works;
- details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage;
- 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).

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.

The Construction & Environmental Management Plan shall also include reference measures to minimise disturbance to bats and other wildlife during construction including the briefing of site operatives, monitoring by an ecologist and either securing or providing a means of escape for all deep pits/trenches/holes present on the site at night-time.

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area, biodiversity (particularly bats) and in the interests of highway safety in accordance with policies D DM1, ENV DM5, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan 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.

9 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 in consultation with Southern Water (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.

The submission of details shall also include a phasing plan drawn up to ensure that occupation of the site aligns with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. 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.

10 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

11 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 policies W DM1, W DM2 and W DM3 of the Arun Local Plan. 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.

12 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 Report 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 components, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (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 report, 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.

13 Prior to the commencement of development a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved 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 amenities of the area, of neighbouring residents and in relation to drainage in accordance with policy D DM1 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to agree levels before foundations are laid.

14 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.

15 At least 10% of the energy supply of the development shall be secured from decentralised and

renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF)

unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving.

Details and a timetable of how this is to be achieved for each phase or sub phase of development,

including details of physical works on site, shall be submitted to and approved in writing by the Local

Planning Authority before any development in that phase or sub phase begins. The development

shall be implemented in accordance with the approved details and timetable and retained as

operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national

planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement

condition because the approved measures may need to be built into the fabric of the buildings.

16 No development shall commence until a method statement has been submitted to and approved in

writing by the Local Planning Authority to provide details of how any retained hedgerows

within/adjacent to the site are to be protected during construction. This will be secured by fencing to

create a buffer of 5m around the retained hedgerows during construction unless such a buffer is not

possible due to the position of agreed buildings in which case a reduced buffer will be acceptable.

The development shall thereafter proceed in accordance with the approved hedgerow protection

measures.

Reason: Bats use the on-site hedgerows for foraging, habitat and commuting and therefore in

accordance with the NPPF and policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because the hedgerow protection

scheme must be in place prior to construction starting.

17 No development including site access, demolition or associated construction activities, shall take

place on the site unless and until a badger survey has been undertaken in order to ensure that

badgers are not using the site. If a badger sett is found on the site, then the applicants shall provide a

mitigation strategy to the Local Planning Authority for approval in writing to be determined in

consultation with Natural England.

Reason: In accordance with policy ENV DM5 of the Arun Local Plan. It is considered that this

condition must be pre-commencement to prevent harm to potentially vulnerable species on site.

OPTIONS:

1. Confirm your acceptance in writing by the **24th May 2022**.
2. Choose not respond (i.e. remain silent). If there is no response by the **24th May 2022** 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 **24th May 2022** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **24th May 2022** 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

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

Yours sincerely

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place
<image002.jpg>
T: 01903 737874
E: simon.davis@arun.gov.uk

Arun District Council, Civic Centre, Maltrovers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

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

Arun is a CIL Charging Authority, for more information go to www.arun.gov.uk/cil
Sign up to our newsletter [here](#) <image004.jpg> <image006.jpg> <image008.png> <image010.jpg>

Y/3/22/OUT

Land West of Bilsham Road, Yapton

Mark up of Pre Commencement Conditions

NOTE – Suggested omissions shown with ~~striketrough~~ and new text in red.

Explanatory text given as footnotes at the end of each page.

Suggested Revisions

7 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 by the Local Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HERDM6. This is required to be a pre-commencement condition because it is not possible to carry out archaeological survey work once development including roads, foundations and surface infrastructure has commenced.

8 No development shall take place, ¹apart from the enabling works - listed below (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), ~~including any works of demolition²~~, until a Construction & 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, the Councils Environmental Health Officer and Ecologist 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:

- the phased programme of construction works;
- 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);
- ~~- the covering of any loose loads with suitable sheets³;~~
- ~~- the means of access and⁴ preferred~~ road routing for all construction traffic associated with the development;
- provision of wheel washing facilities (details of their operation & location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- details of street sweeping;
- details of a means of suppressing dust & dirt arising from the development;
- a scheme for recycling/disposing of waste resulting from demolition and construction works (i.e. no burning permitted);

¹ The enabling works do not need to be part of any control as they are minor and are no worse, in terms of impact, than normal uncontrolled farming operations on the site. This reflects the wording of condition 6 of consent LU/116/21/PL

² There is nothing to demolish on site so this is not relevant

³ This is not enforceable given the deliveries are by third parties. Not specified on LU/116/21/PL

⁴ Field access points already exist on the site and provide for construction access, this is considered part of enabling works as per approval LU/116/21/PL

- details of all proposed external lighting to be used during construction (including location, height, type & direction of light sources and intensity of illumination);
- 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, decorative displays & facilities for public viewing, where appropriate);
- contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details);
- details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works;
- details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage;
- 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).

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.

The Construction & Environmental Management Plan shall also include reference measures to minimise disturbance to bats and other wildlife during construction including the briefing of site operatives, monitoring by an ecologist and either securing or providing a means of escape for all deep pits/trenches/holes present on the site at night-time.

The 'Enabling Works' shall comprise the following:

- (a) site investigations or surveys;
- (b) ecological preparation works;
- (c) the provision of security fencing, hoarding and sales signage;
- (d) the clearance of the Site;
- (e) the provision of any temporary site point of access for construction traffic; and
- (f) provision of temporary Welfare & Accommodation;
- (g) temporary builders supply (electricity, water, data etc);

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area, biodiversity (particularly bats) and in the interests of highway safety in accordance with policies D DMI, ENV DM5, QE SPI, QE DMI, QE DM2, QE DM3 and T SPI of the Arun Local Plan 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.

9. 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 in consultation with Southern Water (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.

The submission of details shall also include a phasing plan drawn up to ensure that occupation of the site aligns with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. 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.

10. Development shall not commence on each phase of the development⁵, other than enabling works (specified below) ~~works of site survey and investigation~~, until full details of the proposed surface water drainage scheme have been submitted for that phase of development consistent with the surface water drainage strategy set out in ~~to~~ and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA consistent with the 13684-CRH-ZZ-XX-RP-C-0002-P3_FRA (Parts 1-3) and the full Winter groundwater monitoring results provided by Campbell Reith in Document 13684-CRH-ZZ-XX-RP-GE-0005_Groundwater Technical Note⁶ ~~to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration surface water' drainage. No⁸ building shall be occupied until the 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.~~

The 'Enabling Works' shall comprise the following:

- (a) site investigations or surveys;
- (b) ecological preparation works;
- (c) the provision of security fencing, hoarding and sales signage;
- (d) the clearance of the Site;

⁵ An overall surface water drainage strategy is provided for the whole site in the FRA assuming two phases of development, therefore phased detailed design is appropriate to aid rapid delivery of the detailed first phase underpinning the advantage of the hybrid application

⁶ Complete Winter groundwater monitoring results will be provided to ADC in document 13684-CRH-ZZ-XX-RP-GE-0005_Groundwater Technical Note

⁷ The design of the surface water scheme must respond to specific ground conditions and groundwater monitoring results; regardless if the system utilises infiltration or not. It is inappropriate to solely specify infiltration given the monitoring results and the nature of the soils and height of groundwater below the surface make it unlikely that infiltration is feasible, and an alternative surface water strategy is likely.

⁸ This is not a pre-commencement condition, but a performance condition

(e) the provision of any temporary site point of access for construction traffic; and

(f) provision of temporary Welfare & Accommodation;

(g) temporary builders supply (electricity, water, data etc);

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SPI, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

~~11⁹ 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 policies W DM1, W DM2 and W DM3 of the Arun Local Plan. 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.~~

~~12 Prior to commencement of the development¹⁰, 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 Report 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~~

⁹ This is not an appropriate pre-commencement condition; it should be a pre-occupation condition. This gives complete control to the LPA that the management of the SUDS will be secured as part of the development. NB. Condition would be ultra vires to secure financial arrangements for maintenance if required this must be through s106 agreement.

¹⁰ The Campbell Reith Land Quality Statement report 13684-CRH-XX-XX-RP-GE-0001-F2-LQS_Parts 1 and 2 (submitted with the application) found that there is no history of contamination and the intrusive soil sampling undertaken has not identified any elevated contaminant concentrations or asbestos at the site. During the ground works no Made Ground or visual or olfactory evidence of potential contamination were encountered. It is inappropriate to request this information again given it is part of the application submission, a condition that requires remediation for any undiscovered contamination only would be appropriate given the site results to aid rapid delivery of the detailed first phase underpinning the advantage of the hybrid application, this should not be a pre-commencement condition.

longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

~~Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.~~

-

~~The scheme shall be implemented as approved above and, prior to commencement of any construction work (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 report, 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 SPI 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.~~

-

13 Prior to the commencement of development a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved 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 amenities of the area, of neighbouring residents and in relation to drainage in accordance with policy D DMI of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to agree levels before foundations are laid.

14 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 DMI 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.

15¹¹ At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving.

Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority ~~prior to construction above damp proof course before any development~~ in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

-

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

16 No development shall commence until a method statement has been submitted to and approved in writing by the Local Planning Authority to provide details of how any retained hedgerows within/adjacent to the site are to be protected during construction. This will be secured by fencing to create a buffer of 5m around the retained hedgerows during construction unless such a buffer is not possible due to the position of agreed buildings in which case a reduced buffer will be acceptable. The development shall thereafter proceed in accordance with the approved hedgerow protection measures.

Reason: Bats use the on-site hedgerows for foraging, habitat and commuting and therefore in accordance with the NPPF and policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because the hedgerow protection scheme must be in place prior to construction starting.

17 No development including site access, ~~demolition~~¹² or associated construction activities, shall take place on the site unless and until a badger survey has been undertaken in order to ensure that badgers are not using the site. If a badger sett is found on the site, then the applicants shall provide a mitigation strategy to the Local Planning Authority for approval in writing to be determined in consultation with Natural England.

Reason: In accordance with policy ENV DM5 of the Arun Local Plan. It is considered that this condition must be pre-commencement to prevent harm to potentially vulnerable species on site.

¹¹ This is not a pre-commencement condition but in part a performance condition and should not prevent preliminary works on site. Suggest that this condition is triggered at construction above damp proof course

¹² No demolition is proposed