

Parish: Tangmere	Ward: Tangmere
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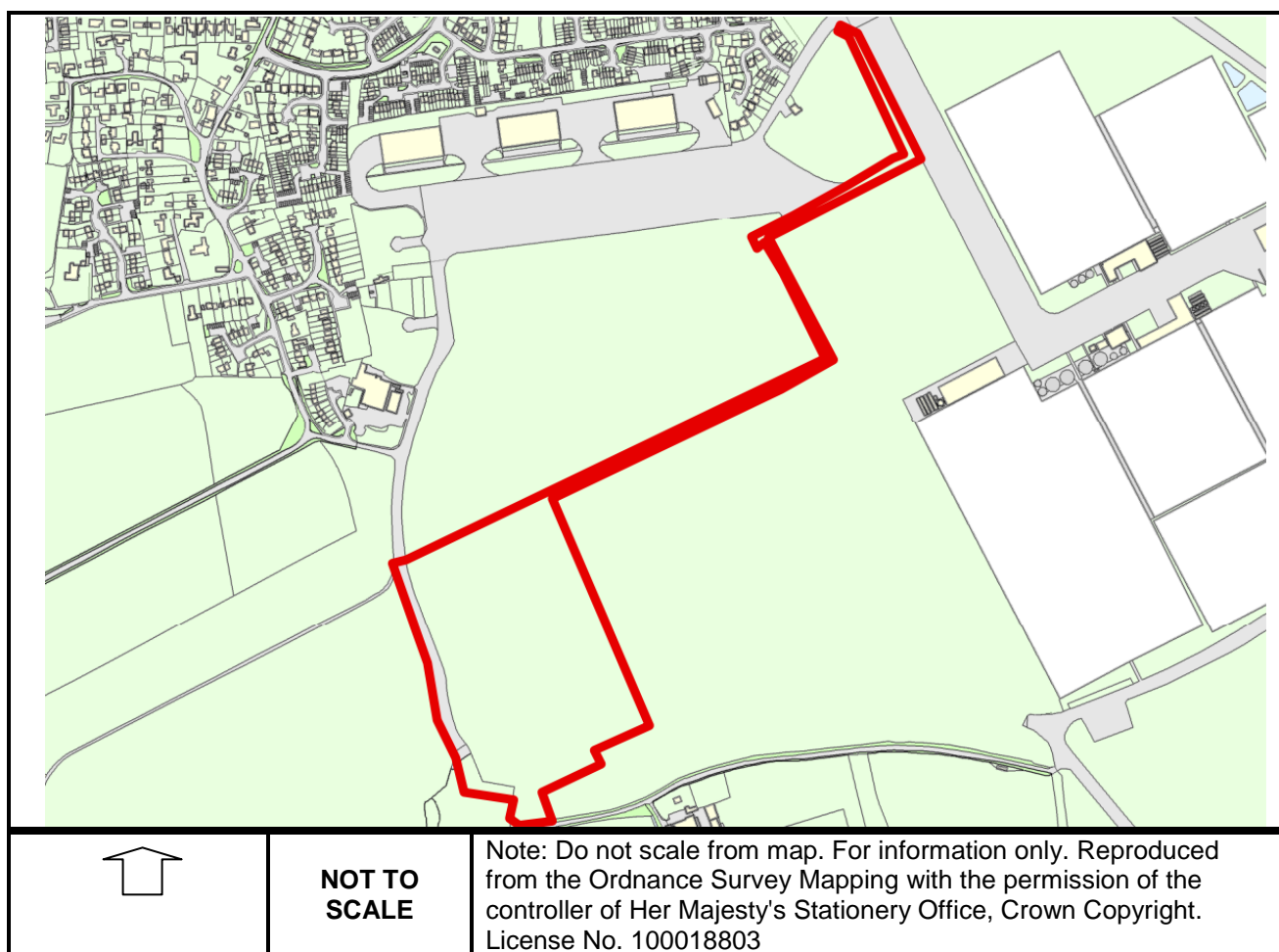
Proposal Glasshouse, harvesting, packaging and cold store facilities. Reservoirs and associated access and landscaping.

Site Tangmere Airfield Tangmere Road Tangmere West Sussex

Map Ref (E) 491043 (N) 105940

Applicant Madestein UK Ltd.

RECOMMENDATION TO DEFER FOR SECTION 106 THEN PERMIT



1.0 Reason for Committee Referral

1.1 Red Card: Cllr Oakley. Important information/opinion to raise in debate

This application concerns a significant part of the Tangmere HDA and it would appear appropriate for Committee to consider the degree of compliance with Local Plan Policy 32

and Tangmere Neighbourhood Plan Policies 8 and 9, including whether all the requirements of those Policies can be met within the application boundary.

The application was withdrawn from the agenda for the Planning Committee meeting dated 13 December for further review of the noise impacts of the development and proposed conditions.

2.0 Site and surroundings

- 2.1 The application site forms part of the former Tangmere Airfield, which is located to the south east of the village of Tangmere. This land is designated as a Horticultural Development Area (HDA). The application site lies in the south west corner of the HDA, approximately 150m south of the Military Aviation Museum.
- 2.2 The application site measures 6.6ha and is presently arable land. The western boundary of the site is identified by a concrete perimeter track. The north, east and most of the southern application site boundaries do not relate to any distinguishing features on the ground at present. The south west corner of the site is adjacent to Church Lane and an area of scrub vegetation. The applicant also has control over a further 7.8ha adjacent to the south and east which is outlined in blue on the submitted location plan. This blue land includes the mature boundary vegetation along the southern edge of the airfield along Church Lane and approximately half of the vegetation scrub area in the far south west corner of the former airfield. The route of the existing permissive path connecting the western perimeter track route to Church Lane to the south is outside the site and ownership boundaries.
- 2.3 Outside the application site, the eastern part of the HDA is used for horticultural development under the management of Tangmere Airfield Nurseries (TAN). Additionally, there is a composting facility (Woodhorn) to the south east of the HDA. The large vehicles serving TAN and Woodhorn use the eastern perimeter track. The remainder of the HDA within the perimeter track is currently undeveloped, and is in arable use.
- 2.4 Access to the HDA is achieved primarily from City Fields Way to the north, through the industrial estate. Aside from the initial section of road connecting to Meadow Way, City Fields Way is a private road.
- 2.5 There is residential development bordering the former airfield immediately north of the perimeter track, including 160 dwellings on the site of the former grain stores and also around the museum (including allotments). The closest dwellings near the museum are approximately 285m north west of the site. The closest dwellings to the route of the proposed access road are located to the west of City Fields Way, a minimum of approximately 75m from the proposed access. The nearest neighbours to the south of the site are at Oakham Farm, at the junction of Church Lane and Ham Lane, which is approximately 110m at the closest point from the site boundary. There are additional residential neighbours along Church Lane, the nearest of which is approximately 200m south west of the site. Church Lane is the boundary between the parishes of Tangmere and Oving.
- 2.6 The site is flat and open in character, with clear views from the bridleway to the north of the site, the perimeter track (open for pedestrian and cycle use) and properties around the airfield including the museum. There is no physical boundary between the TAN

development and the proposed application site. Long views from the south are restricted by the mature planting along Church Lane, which is at a lower level than the adjacent fields. There is a highway drainage ditch to the north of Church Lane.

3.0 Proposal

- 3.1 The proposed development comprises a single large glasshouse, with harvesting, packaging and cold store facilities, alongside two reservoirs, associated access and landscaping. The development will be sited in the far south west corner of the Tangmere HDA, with a new vehicular access across the HDA from City Fields Way to the north, and a pedestrian and cycle link to Church Lane to the south.
- 3.2 The proposal was amended during the course of the assessment to reduce the scale and massing of the coldstore/packaging building, increase the depth of planting to the western and southern boundaries and to provide an alternative foot and cycle connection through to Church Lane. Additional information was provided in relation to drainage, ecology, light and noise pollution control, and access arrangements.
- 3.3 The glasshouse is the primary element of the scheme, measuring 3.45ha (223m x 156m), with a maximum ridge height of 7.4m. The glasshouse is sited in the northern part of the site with the supporting facilities immediately to the south of it. The proposed glasshouse is similar in appearance to the TAN glasshouses with glass and insulated grey infill panels within a metal structure. It is proposed that the glasshouse will be built with integral blinds to prevent light spill while growing lights are in operation and at night.
- 3.4 Adjoining and to the immediate south/south east of the glasshouse is the proposed harvesting area, crop care facility and a dry store. The total floorspace for glasshouse, plant and harvesting is 38,350sqm. The office and staff facilities are south of the glasshouse and adjacent to the packaging and cold store. The staff area comprises two floors including reception, office, driver reception and changing facility (total approx. 600sqm). The west elevation of the cold store includes a dock that leads out to the yard. The total floorspace proposed on site is 42,845sqm (4.28ha).
- 3.5 The packaging and cold store element is the tallest part of the site measuring up to 14m to ridge above existing ground levels and with a maximum eaves height of 10m. This building will be clad with vertical metal insulated panels. The adjoining staff facilities building is 9m to ridge and 7m to eaves and will be clad to match the packaging and coldstore building. The adjacent crop care and dry store is 10.5m to ridge and 7m to eaves and includes windows on the south and west elevations.
- 3.6 To the south west of the main glasshouse and to the west of the crop care area is the plant room, to accommodate both an energy plant and pumping plant. This is housed within the glasshouse structure. To the south of the plant room are two tanks, to clean and store the water required for the hydroponic growing system. The northern tank is 11.5m tall (10m to eaves) with a diameter of 15m. The southern tank is 5.5m tall (4.5m to eaves) and is also 15m in diameter.
- 3.7 The proposed access to the site for all vehicles is shown along a new spine route that crosses through the HDA and joins the existing perimeter track immediately to the north west of the glasshouse. The access then uses the perimeter track before entering the application site in the far south west corner directly into the proposed yard. The plans

show a parking and servicing area to the north of the yard. An acoustic fence (6m tall) is proposed to surround the yard. The access road through the HDA is 6m wide to enable two HGVs to pass each other. The access road is sunken into the ground. There is a bank proposed along part of the northern section of the route to help reduce noise and light pollution for the dwellings to the north of the former airfield.

- 3.8 The main reservoir is proposed to be sited between the glasshouse and the perimeter track, to the west of the site. This is a slim triangular shape with its widest point to the south. It is surrounded by banks up to 4m in height. The reservoir has been designed to include storage capacity above and below ground to give a total capacity of 6,360 m³. This will be lined and used to collect rainwater from the glasshouse and supporting buildings which will be re-used for the growing systems. The second smaller reservoir/'basin' is proposed to be located to the south of the larger reservoir. Likewise this will have 3-4m banks and some below ground storage capacity. It is intended that this will be unlined and take runoff from the yard and parking area (filtered) and packaging and coldstore building, and overspill from the larger reservoir. The provisional drainage strategy proposes a network of pipes that lead from the southern basin eastwards, along the southern boundary of the HDA for some 700m towards the SW corner of the existing TAN glasshouses. A culvert is proposed under Church Lane, which will connect to an existing ditch to the south. This existing ditch network leads towards Aldingbourne Rife.
- 3.9 A 5-12m wide strip of planting is proposed along the western boundary, in addition to planting on the lower slopes of the larger reservoir. A planting belt with a minimum depth of 10m is also proposed along the southern boundary, to supplement the existing planting along Church Lane, behind which will be a landscaped and planted bank of up to 4m in height. The planting areas will comprise mixed native trees alongside lower level planting.
- 3.10 Concrete barriers are proposed to be installed along the western side of the perimeter track, to provide a segregated route for pedestrians and cyclists away from the vehicles, including HGVs, accessing the site. A new direct path suitable for cyclists and pedestrians is also proposed through the scrub area in the south west corner of the site, to connect to Church Lane.
- 3.11 The proposed development will provide for 35 full time jobs. It is proposed that the site will operate 7 days a week with 2 shifts of staff. All vehicles will use the new access.

4.0 History

None relevant

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	NO

- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Tangmere Parish Council

The Parish Council support the HDA application as it conforms with the HDA designation which is important to protect.

Further comments

Tangmere Parish Council has no objection to this application provided that officers at CDC are satisfied as to the efficacy of the noise mitigation measures proposed, particularly in relation to Gamecock Terrace.

6.2 Oving Parish Council

The above planning application was considered at the Oving Planning Committee meeting of 27th July and the committee wish to OBJECT to this application on the following grounds:

The is very close to the periphery of the airfield and therefore close to the Parish of Oving which will cause problems for residents within the parish, especially those living close to the site. Large walls of glass are known to 'bounce' noise. The general noise of the facilities together with the considerable vehicle movements to support this will have a very large negative impact on the parish. Light pollution is another major concern which will be a significant problem to those residents living closest. The proposed screening is inadequate which will only serve to compound the concerns stated previously.

Further comments

Following our original comments dated 6th August 2017, it is clear that the previously agreed HDA boundary of 50 metres is not being taken into consideration. This was set to provide screening for local residents who will be dependent upon this to provide sound and visual protection, from this and potential future applications, in what is currently and has always been a quiet and un-spoilt part of our Parish. When considering this screening we would also like CDC to consider the use of blinds on the South and West sides of the glasshouses to further protect our Parish and residents from the excessive light that will no doubt be a problem to our residents at night.

We are, though, pleased to see the consideration of a cycle track between Church Lane and Tangmere.

The following comments are summarised:

6.3 Highways England

Having considered the proposals we are satisfied that if granted consent the development in its own right would not have a severe impact on the safe and efficient operation of the A27 at Tangmere which forms part of the national SRN.

It is noted that the applicant's Transport Statement proposes a Travel Plan Framework and whilst this is welcomed Highways England agree with West Sussex County Council's (WSCC) comments in that regard which are that the Travel Plan Statement should be produced and agreed with them. In addition to the Travel Plan, a Construction Management Plan is outlined in the Transport Statement which is again welcomed. However, as there is potential for detrimental impacts on both the strategic and local road networks resulting from construction traffic Highways England require that no works shall commence on site until the Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with ourselves as well as WSCC.

6.4 Environment Agency

We have no objections to the proposed development, as submitted. Advice is given on Environmental Permitting, including the following key points:

- The discharge from the package treatment plant associated with this development will require an Environmental Permit from the EA under the Environmental Permitting (England and Wales) Regulations 2016, unless an exemption applies.
- There appears to be a mains sewer network running through the site. Any application for an Environmental Permit for the package treatment plant will likely need to demonstrate that connection to the mains network is not reasonable.

6.5 Southern Water

There is a public rising main within the site, which appears to follow the line of the proposed HGV road. The exact position of the public rising main must be determined on site by the applicant before the layout of the proposed development is finalised.

Advice is also given on the following matters:

- Planting restrictions near Southern Water apparatus
- Protection requirements for existing apparatus during works
- No new soakaways should be located within 5 metres of a public rising main.
- Survey requirements for the location and depth of any Southern Water apparatus prior to works commencing
- Construction details when development is in the vicinity of Southern Water gravity sewers, rising mains or water mains.
- Site level changes to be agreed with Southern Water in advance, if in the vicinity of apparatus
- Procedures if any private sewer is found during works

The applicant is advised to consult the Environment Agency directly regarding the use of a package treatment plant which disposes of effluent to sub-soil irrigation. The owner of the premises will need to maintain the works to ensure its long term effectiveness.

The applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

6.6 South Downs National Park Authority

The SDNPA has been successful in achieving Dark Skies Reserve status for the South Downs National Park - only the second such Reserve in England.

Uncontrolled lighting within glasshouses in the coastal plain would have the potential to have a significant impact on the dark skies. However, we are pleased to note the intention to use blackout blinds which claim to have a 99.9% shading level. Providing that suitable conditions were applied - including ensuring that such blinds are used from sunset to sunrise - we would have no objection to the proposals. We are not familiar with purple LED lighting technology and what effects these have on dark skies - so have sought advice from the International Dark Skies Association (IDSA) and will update you on any response received.

With regard to lighting for the new access road to the site - if needed - fittings with zero upward light spill should be used and managed by sufficient control technology to be consistent with WSCC part night switching.

Further comments (advice from IDSA)

The purple LED lighting is at the UV end of the spectrum. It will have an impact on invertebrates so the overglow will need to be reduced.

Further comments from SDNPA

The SDNPA would seek to ensure that appropriate blinds/shading are ensured by condition as, even if the visual impact from purple LEDs is reduced, there could still be potential impacts on wildlife.

6.7 WSCC Highways

The Applicant sought pre-application advice from WSCC and Highways England. A copy of the correspondence between the LHA and the Applicant can be found at the rear of the Transport Statement.

No objection is raised, subject to conditions/S106 Agreement.

Trip Generation and Capacity Assessment

The number of trips generated by the proposed development has been derived from data made available by Madestein UK Ltd. It is not possible to utilise the Trip Rate Information Computer System (TRICS) to establish the trip rates, as data for such a use is not included within the TRICS database.

It is anticipated that the site will generate a total of 87 daily two-way trips, four of which will occur in the peak network hours of 0800-0900 and 1700-1800. Of these movements, 17 trips will be by HGV. Two of the HGV trips will occur in both the AM and PM peaks. The WSCC Transport Assessment Methodology requires junction capacity testing to occur when development proposals result in an increase of 30 or more junction entry movements during any hour. The development proposals do not meet this threshold at any location on the local highway network. It is not considered that the development would result in a 'severe impact' (para 32, National Planning Policy Framework) upon the operation of the local network.

Access

The existing museum access onto Gamecock Terrace will not be used for vehicular access to the proposed development. Access to the highway will be achieved via City Fields Way. Within the site a new access road across the airfield will be introduced. This will be 6m wide to enable two HGVs to pass one another within the site. Vehicles accessing the site will not have to wait at the access (subsequently obstructing the highway) for a vehicle departing the site. HGVs generated by the site will be required to use Meadow Way to travel onwards to the A27. No HGVs are to travel on the local road network to the south of City Fields Way. A routing agreement, via S106 Agreement, should be put in place to confirm this arrangement.

Sustainable Access

A draft Travel Plan Framework has been included in support of the application. Measures such as the use of multiple occupancy vehicles, such as mini-buses, as well as car-sharing tend to lend themselves favourably to horticultural uses. Whilst the proposed development would not have a sufficient critical mass to make noticeable changes to modal shift, there would be benefit in promoting a Travel Plan Statement so that employees would have a better understanding of the travel options available to them. This should be secured via condition. Cycle infrastructure is in place adjacent to Meadow Way, and City Fields Way is conducive to on-carriageway cycling. A footway connecting into the site runs along the southern side of City Fields Way.

Conditions

Car parking spaces provided before first use
Covered and secure cycle parking to be provided before first use
Construction management plan agreed before works commence
Travel Plan to be agreed before first use

S106

A routing agreement for HGVs travelling between the development and the Strategic Road Network

Further comments

West Sussex County Council, in its role as Local Highway Authority, has previously commented and raised no objection to this proposal. Alterations are noted to the current scheme in the form of the creation of a permissive foot/cycle path from the site onto Church Lane.

A small section of this route (where it connects with Church Lane) will be within the public highway. There are no in principle concerns with this arrangement. The exact details (construction specification including the means by which the existing ditch will be crossed) should be secured by condition. The applicant should note that the permission of the LHA will be required in order to undertake the works within the public highway.

An additional condition is suggested for the foot/cycle path connection.

6.8 WSCC Rights of Way

The Rights of Way team welcomes the inclusion of a permissive path as part of the development as this will promote further foot and cycle access in the Parish of Tangmere.

More information is required however; specifically relating to the location highlighted on the Proposed Site Layout Plan which indicates that the proposed HGV road will encroach onto the Public Right of Way (Bridleway 3581). The request for more information relates to 3 main concerns:

1. The path width from the existing gate heading south to the corner where the path then turns west is 13.5 metres wide. Does the developer intend the proposed HGV road to include part of the Public Right of Way and how will the HGV road be delineated/highlighted on the ground
2. Heavy Goods Vehicles using the proposed road have the potential to increase the risk of injury and disturbance to lawful users of the Public Right of Way; what safety and mitigation measures are proposed to reduce this
3. The Proposed Site Layout Plan indicates a new gate will be installed on the Public Right of Way at the corner of the Proposed HGV road where it heads south. No structure, for example gates, may be erected on the PROW without the prior consent of WSCC's RoW Team. Should planning consent be approved by the Local Planning Authority this would not confer consent for such a structure, which would require a separate application to WSCC's RoW Team.

Further advice is given about access rights and consent procedures for works to a public right of way.

Further comments

Thank you for the additional information. I have no objection in principle to the proposed development or use of the right of way for HGV shared access so long as the safety of path users is ensured and WSCC PROW are consulted before any works take place on the particular section where the HGV route meets the Right of Way.

6.9 WSSC Flood Risk Management

Modelled surface water risk

Low risk for the majority of the site, with the north east of the site at high risk. A wholesale site level rise via the spreading of excavated material should be avoided.

Modelled ground water flood risk susceptibility

High risk. Where the intention is to dispose of surface water via infiltration/soakaway, these should be shown to be suitable through an appropriate assessment carried out under the methodology set out in BRE Digest 365 or equivalent.

Ground water contamination and Source Protection Zones

The LPA should consult with the EA if this is considered a risk.

Records of flooding at the site

None

Ordinary watercourses

Current Ordnance Survey mapping shows an ordinary watercourse within close proximity of the boundary of the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around the site. If present these should be maintained and highlighted on future plans. Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent.

SUDS

The FRA for this application proposes that storage ponds with a restricted discharge to watercourse would be used to control the surface water from this development to Greenfield run-off rates. Conditions should be used to require full details of the drainage scheme, with infiltration methods preferred, and a site specific maintenance and management plan.

6.10 CDC Senior Drainage Engineer

Flood Risk

The site is wholly within flood zone 1 (low risk)

Surface Water Drainage

The proposed means of surface water drainage is via storage in the form of two ponds, with a restricted discharge to a local watercourse. This demonstrates that the site can be adequately drained but does not follow the hierarchy for surface water drainage. In the first instance water should be discharged to ground via infiltration, and a discharge to a local watercourse should only be considered once infiltration has been ruled out. The requirement for water storage and re-use is given as a reason for soakaways not being possible. We are not convinced that this is an acceptable reason as we believe there could be alternative means for storing the required water, such as tanks under the greenhouses, infiltration could then be utilised when the storage is full. All parking and access roads should also be of a permeable construction wherever practical.

We recommend before approval is given that a revised scheme is sought which follows the hierarchy for surface water drainage as per approved document H of the Building

Regulations and the SuDS manual. We would then like to be consulted on the revised scheme.

Because we are satisfied that a solution is possible, detailed design can then be conditioned. The detailed design will need to be supported by winter groundwater monitoring and percolation tests to BRE365 or equivalent. All of the above is required to ensure that the development does not increase the risk of flooding downstream.

Further comments

The proposed scheme appears to remain unchanged with no soakage features but there are results of on-site soakage tests (although carried out in August). These results show percolation rates which although are not great would facilitate some soakage. Ultimately we are satisfied that the site can be drained, and therefore detailed design of the surface water drainage scheme may be conditioned.

There are a few items that we would like dealt with as part of the detailed design and the subsequent discharge of condition:

- Winter Ground Water Monitoring - This will be needed to ensure storage / attenuation features are not compromised by groundwater.
- Infiltration - As per Approved Document H and the SuDS manual they will need to demonstrate that every effort has been made to infiltrate into the ground, this may include permeable surfaces and not lining the second pond (subject to groundwater levels)
- Water Quality - We must ensure that the water quality leaving the site is not of a reduced quality to pre-development. We would like to see features including permeable paving, filter strips/French drains adjacent to the parking/delivery areas and swales (downstream of final basin) to facilitate natural water treatment. Petrol Interceptors would be the least preferable solution as there is a tendency for these to not to be maintained thus resulting in pollution incidents.

Further comments

Draining the parking/road into/over the grassed areas would be preferable, we will comment on details at the DOC stage.

There is a preference for open features (rather than piped discharge), this is because the open features are easier to maintain, provide habitats and provide natural treatment of the water. In this instance I'm not convinced the levels are not conducive, as there is only a fall of approximately 300mm along the southern boundary. To control the discharge they will need a short length of pipe and a chamber which contains a hydro brake or similar, but culverting the whole southern boundary would not provide any better control than a swale.

We must ensure the quality and quantity of discharge is maintained or improved following the development, and therefore in the absence of permeable paving, filter strips or similar features to naturally treat the flows we believe it would be strongly preferable to discharge into a swale as opposed to a pipe.

6.11 CDC Senior Specialist Environmental Health Technician - Contaminated land and air quality

A desk study and preliminary site assessment has been submitted produced by Southern Testing. The report concludes that the risk to the site from unexploded ordnance (UXO) is considered medium and therefore it is recommended that either a detailed UXO study is completed or mitigation measures, including fulltime attendance by a UXO engineer during site investigation and/or groundworks is undertaken. A condition requiring a further detailed UXO study prior to any ground works taking place should be applied in order to manage the UXO risk at the site.

With respect to other potential risks from contamination, historical landfill and potentially infilled feature at distances of 397m and 41m from the site. The report concludes at Section 6.8 that the materials used in the landfill are unlikely to have been harmful materials as the land was being returned to agricultural use and the risk of landfill gas being present is considered low. The unknown filled ground to the west of the site appears to relate to an infilled ditch. Given the scale of the ditch the risk of landfill gas from this source is considered low.

It is understood that the crops within the new greenhouse are to be grown hydroponically and therefore the plants will not come into contact with the soils on site. The majority of the site will comprise hardstanding and it assumed that the new reservoir will be lined and therefore not in contact with site soils. Given that a commercial use is proposed for the site it is recommended that a watching brief is undertaken during groundworks and condition DC13 should be applied.

The development is not predicted to cause a significant change in traffic flows. The nature of the activities to be undertaken as a result of the development are also unlikely to cause air quality impacts on the local area therefore it is not considered necessary for an air quality assessment to be undertaken.

Many of the actions to be implemented as part of the Travel Plan will also have a beneficial effect on local air quality (e.g. employees car sharing or cycling to the site). The development is located close to a bridleway used as a cycle route from Oving to Tangmere village and a footpath. It is essential that the development does not obstruct this bridleway or footpath in order to encourage these sustainable modes of transport. It is noted that cycle parking is proposed at the site which is welcomed.

During construction activities, measures to minimise dust and other emissions should be taken, particularly when weather conditions are dry. It is recommended that a construction management plan is put in place for this development.

Further comments

1. Surface run-off from yard areas or any areas where fuels/oils or chemicals are stored should be passed through interceptors of some sort which can trap hydrocarbons (in the event of spillages).
2. It would be useful to know the method of providing power to the CHP plant i.e. is it oil fired or electric or other

6.12 CDC Environmental Health Officer (Noise)

Further information is required. With the clarifications of the report required, I do not consider that it is possible to draw a conclusion about the acoustic impact of the development at this time. I suggest that the applicant be invited to provide the clarification/ additional information but under no circumstances should the matter be decided now.

I would highlight that there are already complaints about the existing operations which are further away from the present location.

Further comments

We have considered the application document, particularly the acoustic report by soundplanning titled "Project J02886 Noise Impact assessment: Tangmere Road - Proposed Glass House" ; Site location plan dated February 2017 no. 0917-PI-102i (showing the location of the glasshouse, access route and landscape bank protecting residential premises to the North); the drawing titled proposed Coldstore, Plans and Elevations, dated June 2017 no 0917-PI-IIIi (showing the location of the acoustic screen); and the correspondence from the agent citing that electrical supplies will be available to the trailer units.

I have also reviewed the conditions stated on other decision notices, including that by the Planning Inspector for the existing glasshouse (TAN). I confirm that I have also had regard to the NPPF and Planning Practice Guidance in formulating this response.

The report describes the sound levels at two receivers; Oakham Farm to the South and the residential properties to the North and the types of sounds that will affect them. Those premises to the North will be affected by the vehicular traffic along the proposed access road. Oakham Farm will be affected by the sound of the co-generation unit; the sound of vehicles pulling away; the sound of trailer mounted refrigeration units; the loading of trailers.

In summary the report proposes that for residential premises to the North a 5 metre high landscaped bund will mitigate noise. The principal controls for the premises to the south include:

- (i) The acoustic enclosure of the co-generation unit.
- (ii) The insertion of an attenuator in the duct of the exhaust serving the cogeneration unit.
- (iii) The installation of an 8 metre high screen.
- (iv) The use of rigid sided vehicles for transportation.
- (v) The use of electrical plug in points to power refrigerated trailers.

Without the mitigation the noise is likely to have a significant adverse effect. Therefore, to ensure that the development can proceed without causing significant adverse effects and in accordance with the PPG and Noise Policy Statement for England adverse effects are minimised the conditions are recommended for the following, for the control of sound:

1. Road surface maintenance
2. Road design to reduce speeds
3. Maximum rating sound levels specified for the main noise generating elements

4. Specific mitigation implemented and maintained
5. Post-completion validation testing
6. Refrigerated trailer units to be powered using electrical supplies when stationary
7. External lighting details and restrictions
8. Control of reversing noise

Further comments

I have seen the updates made in the noise report and the conclusion that they can get to a noise rating that is within 5dB(A) of the representative night background level L90 of 30dB(A) at the nearest noise sensitive properties in Ham Lane and Woodhorn Lane. This has been done by rejigging the noise figures so that there is less contribution to the overall noise from HGV movement on departure and staggering the departure to one per 15 minute interval. I accept the calculations made on the figures presented.

In reality the noise will fluctuate and not be heard as a sound equivalent level over the 15 minute period. This is to some extent accounted for by adding a 5dB penalty to give a Noise Rating that takes into account any character that may be perceived as attracting attention. On this basis the measured level at 3.5m from the nearest residential properties should not exceed 30dB(A) during the night time period. Likewise, the evening operations (19.30 - 23.00) and day time operations (06.00 - 19.30) should not exceed the typical background levels for these periods by more than 5dB Rating Level. This means that the respective measured noise level 3.5m outside the nearest dwellings will be equal to the background levels taken as 35dB(A) by evening and 38dB(A) by day.

My only reservation is that no figures have been shown for Gamecock Terrace properties. I accept that these properties are much more distant from the operations although there is less screening. The access road does pass closer to the properties for a greater length than would be experienced by dwellings to the south. As such HGV movement and on board refrigeration will be contributing more towards the overall noise experienced at these properties on the north-west side of the site. In addition, the figures presented do not seem to account for inward movement of HGVs collecting from the cold stores. It is likely that residents will be aware of all vehicle movements if they occur later in the evening or during the night. The noise report suggests that a night time rating exposure level of 41dB(A) is possible at 3.5m from properties at Gamecock Terrace, however, it is suggested that the background night time level is unknown (not measured) and likely to be higher at this location being closer to local traffic and the A27. I concur that this may be the case although I would not have thought that it would be significantly different between 22.00 and 04.30 that seems to represent a lower background from diminished traffic movements, and when most people are sleeping.

In light of the above it may be prudent to place a total restriction on night time movement between 22.00 and 04.30 hours and to limit night time movements to 2 loads before 6am.

6.13 CDC Archaeology Officer

I agree with the conclusions of the Desk Based Assessment supplied with the application, i.e. that the likely archaeological potential would justify a programme of investigation ahead of redevelopment and that this could be secured following an appropriate condition to secure a written scheme of investigation and initial trial excavation pre-commencement.

6.14 CDC Environment Officer

Reptiles

Reptile habitat has been identified onsite within the south west corner. We require that reptile activity surveys are undertaken by a suitably qualified ecologist and submitted prior to determination. If reptiles are found onsite a mitigation strategy will need be produced and submitted with the planning application prior to determination. The mitigation strategy will need to include details of reptile fencing, translocation methods, the translocation site / enhancements and the timings of the works.

Great Crested Newts

Great Crested Newts have been recorded 150m from the north west of the HGV route and a breeding pond is 350m to the east of the site. Following Natural England's guidance we require that prior to determination further survey work is undertaken to establish if Great Crested Newts are using the site. If GCN are found then mitigation would be required and a mitigation strategy must also be submitted as part of the planning application.

Bats

The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows (5m) and protective fencing during construction. Any gaps or replacement hedging should use native species. Conditions should be used to ensure this.

No trees are due to be removed from the site, however if this changes further bat activity surveys would be required for these trees. The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Farm Birds

An arable breeding bird survey is required to fully determine the use of the site by farmland bird and ensure suitable mitigation is undertaken for these bird species. We require that this survey is undertaken by a suitably qualified ecologist and submitted as part of the application prior to determination, along with any mitigation strategy required.

Water voles

Due to the proximity of Water Voles to the site, as part of the management plan for the site there needs to be a strategy in place to ensure there is no pollution to the water courses surrounding the site. The management plan should detail the methodology on how the water courses will be protected and how this will be monitored.

Guidance is provided on nesting birds.

Further comments

Great Crested Newts

A non-licence Method Statement has been recommended with Section 4.1.4 of the Phase 2 Ecological Survey Update (Oct 2017) which we are satisfied with and happy for this to be conditioned.

Reptiles

The reptile survey has shown that there is a small population of reptiles onsite. Due to this mitigation has been proposed within Phase 2 Ecological Survey Update (Oct 2017) and we are happy that the proposed mitigation is suitable and this can be conditioned. The applicant should note that no works can commence until the reptile translocation has taken place.

Arable birds

A biodiversity area has been proposed around the southern margins of the green houses to benefit farmland species associated with the surrounding fields. This area is also included within the Tangmere wider ecological network as part of the bat network. A management plan for this area will need to be produced and submitted to us prior to start onsite.

Enhancements

The field margins will need to be managed to encourage wildflowers and other species associated with arable verges. Management of the field margins should be incorporated into the management plan discussed above. Further advice given on hedgerow protection and enhancement.

6.15 18no. Third party letters of objection/support in principle but with concerns relating to:

- a) Traffic noise
- b) Hours of activity including HGV movements
- c) Transport impacts need to be considered for the whole HDA
- d) Traffic routing to avoid unsuitable country lanes
- e) Operational noise including transport noise, particularly overnight
- f) Loss of agricultural/open land, including loss of recreational space
- g) Light pollution, including internal and external sources, screens may be ineffective
- h) Drainage/flooding, existing problem
- i) Pedestrian/cycle access to be maintained and improved
- j) Traffic management on the public right of way/permissive path
- k) Landscape impact, insufficient screening. Robust buffer required c. 50m
- l) Development should be all within HDA boundary
- m) Noise reflections from glasshouse
- n) Flood risk from water storage
- o) Impact on wildlife habitat
- p) Effect on bridleway experience
- q) No use of eastern perimeter track
- r) Additional screening required for access road

6.16 17no. Third party letters of support, relating to:

- a) Economic benefits. Nationally significant industry, application shows long term commitment to horticultural industry in West Sussex.
- b) The sustainability of the horticultural industry in West Sussex depends upon the capacity of such businesses to expand
- c) Employment provision and educational benefits
- d) Proposal will produce clean, safe, local food over a longer growing season
- e) Contributes to food security
- f) Proposal within HDA, close to Strategic Road Network

- g) Low environmental impact
- h) Low water, chemical and fertiliser use
- i) Rich wildlife habitat can be enhanced
- j) Energy efficient
- k) Modern glasshouse technology proposed

Includes support letters from the National Farmers Union and West Sussex Growers Association

6.17 Applicant/Agent's Supporting Information

The proposal was amended during the course of the assessment to reduce the scale and massing of the coldstore/packaging building, increase the depth of planting to the western and southern boundaries and to provide an alternative foot and cycle connection through to Church Lane. Additional information was provided in relation to drainage, ecology, light and noise pollution control, and access arrangements. A revised acoustic assessment was submitted in April 2018 with the relevant plans updated accordingly. Further information was provided in May 2018 regarding the access route and construction hours. The red line boundary was updated for the north west part of the site.

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. The Tangmere Neighbourhood Plan was made on the 19 July 2016 and forms part of the Development Plan against which applications must be considered.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development
 Policy 3: The Economy and Employment Provision
 Policy 8: Transport and Accessibility
 Policy 9: Development and Infrastructure Provision
 Policy 32: Horticultural Development
 Policy 39: Transport, Accessibility and Parking
 Policy 40: Sustainable Design and Construction
 Policy 42: Flood Risk and Water Management
 Policy 45: Development in the Countryside
 Policy 47: Heritage
 Policy 48: Natural Environment
 Policy 49: Biodiversity
 Policy 52: Green Infrastructure

7.3 Tangmere Neighbourhood Plan 2014-2029

Policy 1: Spatial Plan for the Parish

Policy 8: Green Infrastructure Network
Policy 9: Sustainable Movement Network

National Planning Policy Framework

- 7.4 Government planning policy comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

- 7.5 Consideration should also be given to paragraphs 6-14 (sustainable development), 17 (core planning principles), 18-21 (strong competitive economy), 28 (prosperous rural economy), 32, 34-36, 39, 41 (travel), 56, 58, 61 (design), 109, 112, 118, 120-123, 125 (natural environment), 126, 129, 141 (heritage), 185 (neighbourhood planning), Decision Taking and Annex 1
- 7.6 National Planning Practice Guidance (PPG) is relevant to the determination of this planning application.

Other local policies and guidance

- 7.7 The following Supplementary Planning Documents are material to the determination of this planning application:

Surface Water and Foul Drainage SPD
Planning Obligations and Affordable Housing SPD

- 7.8 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain low levels of unemployment in the district
- Develop a local workforce that meets the needs of local employers
- Support local businesses to grow and become engaged with local communities
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the district

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

- 8.1 The main issues arising from this proposal are:
- (i) principle and policy context
 - (ii) vehicular access
 - (iii) pedestrian and cycle access
 - (iv) noise
 - (v) landscape and visual impact, including lighting
 - (vi) drainage, sewerage and water use
 - (vii) ecology
 - (viii) archaeology
 - (ix) pollution and contamination including hazards

Assessment

(i) Principle and policy context

- 8.2 The application site is located within the designated Horticultural Development Area (HDA), as set out in the Chichester Local Plan policy 32. This designation recognises the important contribution horticultural development makes to the economy locally and nationally. The District's horticultural industry is, and needs to remain, internationally competitive. This designation supports large scale horticultural development within the identified sites in Tangmere and Runcton.
- 8.3 The applicants, Madestein UK Limited, presently operate from Leythorne Nursery, Vinnetrow Road, where they grow lettuce and herbs, specifically basil, and a site in Cranleigh in Surrey where they grow lettuce. The Cranleigh site has been granted planning permission for redevelopment and therefore the applicants will no longer have use of these glasshouses (5.7ha) by early 2018. The applicants intend to relocate their basil production from Leythorne and the lettuce production currently at Cranleigh to Tangmere. Additional lettuce production will take place at Leythorne, which will also serve as a central point for the collection of crops from the smaller glasshouses in Sidlesham and Almodington. It is proposed that the site at Tangmere will grow, pack and distribute herbs and grow and pack lettuce. The lettuce is packed and sold to supermarket customers. The basil is packed and sold to wholesalers.
- 8.4 It is proposed that the crops will be grown using a hydroponics system. The hydroponic method is growing crops without soil, using instead water rich in nutrients. The efficiency of the hydroponics system, including the ability for a producer to finely control the climate within the glasshouse, reduces the amount of glasshouse space required for the amount of crop to be produced and increases the quality of the crop. The proposal accords with the intentions of the HDA policy, and the policy supports its location in the HDA in principle.
- 8.5 The largest portion of the proposed development is a glasshouse, measuring 3.45ha. Alongside this are the supporting facilities of a cold store, packhouse, harvesting facility, yard and reservoirs. A packhouse is specifically listed under CLP policy 32 as acceptable in the HDA. The other proposed uses are considered to fall within the remit of acceptable

supporting services that can be justified in this location under the terms of CLP policy 32 due to their ancillary function and size, and clear and close functional relationship to the glasshouse and each other, all within the site boundaries.

- 8.6 However, the application site does not fall entirely within the HDA boundary. The smaller drainage basin, part of the yard and the southern landscaped bank are sited to the south of the HDA boundary. It is noted that the development outside the HDA boundary comprises landscaping and drainage elements not the primary horticultural development. Furthermore, the provision of the reservoir, banks and additional planting will soften the impact of the development from the south and Church Lane. Officers have considered in some detail whether the development could be revised to ensure all aspects are within the HDA boundary. The proposed development is considered to be sited in an efficient manner on the application site. The applicant has stated that any reduction in space would render the scheme undeliverable and relocation of the built form would compromise the future development of the adjacent land. CLP policy 32 also allows extensions to or development outside HDAs in principle in specific circumstances. These are reviewed in detail in this report. It is considered that the proposal meets these criteria. In conclusion on this issue, it is considered that the proposed development complies in principle with CLP policy 32.

(ii) Vehicular access

Access to trunk road network and A27 capacity

- 8.7 The former airfield is designated as an HDA suitable for large scale horticultural development for, amongst other matters, its ease of access to the trunk road network (A27). It is less than half a mile between the A27 Tangmere Roundabout and the entrance to the former airfield, via Meadow Way then City Fields Way. City Fields Way is a 6m wide access road providing access to a commercial development of offices and industrial units.
- 8.8 Highways England and WSCC Highways have reviewed the Transport Statement submitted with the application and support the use of the Meadow Way/City Fields Way access route, instead of the alternative access through Tangmere via Gamecock Terrace by the Museum. The A27/Meadow Way/City Fields Way access is more direct, suitable for HGV use and is further from most residential properties. WSCC require a routing agreement to confirm the use of the A27/Meadow Way/City Fields Way for all HGV access to the site, to be secured through S106 agreement.
- 8.9 The proposed development occupies a large footprint however due to the efficiencies of the growing and supporting systems, the amount of staff required (35) and volume of vehicular movements is relatively low. The shift patterns also reduce the amount of activity to take place at peak times (0800-0900, 1700-1800). The operations take place 24/7, but with limited staff overseeing the facility at night. The majority of the staff will work either 0630-1530 (0430-1530 in summer months) or 1530-2130. The Transport Statement advises there will be 17 2-way HGV trips plus 70 car trips per day, with no more than 2 HGV and 2 car movements in peak hours. Highways England considers this will not have a severe impact on the trunk road network, and WSCC are satisfied there will be no severe impact on WSCC roads on this basis.

Site access

- 8.10 Access within the HDA is currently limited to a section of former runway, used by Tangmere Airfield Nurseries (TAN), and an incomplete perimeter track owned by WSCC. The eastern section of the perimeter track is used by TAN and the composting facility to the south east of the site. The northern and western sections of the perimeter track are gated and used by pedestrians and cyclists. This existing infrastructure is considered unsuitable to support further development and as such the applicant has had lengthy discussions with the landowners (the Church Commissioners) to find an alternative solution.
- 8.11 A new access route is to be provided through the HDA which will start at the junction of City Fields Way and the existing perimeter track, and cross through the HDA before joining the existing perimeter track approximately 160m south of the Museum. All vehicles using the application site will use this new route. There will be no use of the eastern perimeter track for construction or operational phases and no use of the northern perimeter track for operational purposes. A construction management plan is recommended as a condition. A gate is proposed to prevent unauthorised use of the northern perimeter track, save for emergency service purposes.
- 8.12 This new route will be a 6m wide concrete track, which is of a sufficient width to enable two HGVs to pass each other. The road will be dug into the ground by up to 1m and a supported landscaped bank (up to 4m high from existing ground level) will be constructed to the northern side of the northernmost part of the route, near the concrete apron, where the route passes closest to residential properties. The bank and reduced ground level will reduce the noise and light and visual impact of the vehicles, particularly the HGVs.
- 8.13 This new route is important not only to allow access to the proposed development but also to facilitate access for further horticultural development within the HDA. Various routes were considered for this track prior to the planning application being submitted, and further details of this review process are set out in the DAS (including the plan on page 6) and in the supporting letter from the applicant's agent dated 24.5.18. Plan 100L illustrates how the remaining parcels of land could be developed for horticultural use, specifically glasshouses. It is understood that several growers have expressed an interest in the remaining land and officers are advised that the landowner was aware of the requirements of growers when deciding the route. Officers have reviewed the various options and consider that the proposed route is the most reasonable option with the least impact on local residents and it would not prohibit or limit future horticultural development taking place in the remaining parcels. It is accepted that any route crossing the HDA would limit the size of some parcels of land, but it is considered that the proposed route minimises the amount of smaller parcels while providing space for very large parcels. The applicants intend to deliver this road if they are granted planning permission. This will open up the eastern part of the HDA, which is currently not accessible by vehicle, which would make it more attractive for growers. Obligations in the S106 would ensure the applicant, who will construct, own and maintain the access, does not unreasonably frustrate the use of this route by other horticultural businesses to access other parcels of land within the HDA. In conclusion on this issue, officers are satisfied that the proposed route and access arrangements are acceptable.

Site access, parking and yard arrangements

- 8.14 The site access is in the south west corner of the application site. The site will include 25 standard vehicle parking spaces, 1 motorcycle space, 1 disabled space, 3 cycle spaces

and 3 larger parking spaces for HGVs. The number of vehicle parking spaces is considered acceptable and includes visitor parking. A Travel Plan Statement is recommended to be secured by condition. The parking spaces are arranged on the periphery of the northern car park/service yard area to give maximum space for larger vehicles to manoeuvre, for loading into the crop care area and for loading from the lower yard area from the packaging and cold store facility.

- 8.15 In summary on this issue, the vehicular access and site parking arrangements are considered acceptable and compliant with the requirements of the statutory consultees and CLP policy 32 (4) and 39. Conditions and a S106 agreement will be used to secure the details and ensure full implementation and proper management.

(iii) Pedestrian and cycle access

- 8.16 Pedestrian and cycle access to the site is currently available via a combination of adopted bridleway and permissive routes. These routes use the former airfield perimeter track and an informal cut-through onto Church Lane. The Tangmere Neighbourhood Plan (TNP) identifies the importance of these routes particularly for recreational purposes, and this is identified in some of the third party comments. The TNP promotes a sustainable movement network through policy 9, which includes the bridleway and permissive route along the western boundary of the HDA and across the neighbouring field, and connections to Church Lane. While there is an existing permissive route (across third party land) through to Church Lane, this is a well worn but narrow, uneven and overgrown path that would discourage use in all but bright and fair conditions for those with sure footing. This is across third party land. Negotiations during the application process have resulted in an alternative route being proposed along the boundary of the land under the control of the applicant. This will be a direct path, suitable in width (3m) and surfacing for pedestrian and cycle access. This will exit onto Church Lane to the east of the existing path, within an area with good visibility and a deep verge. WSCC raise no objections in principle to this new discharge point onto the highway, but this will require further detailed review through a S278 agreement. A condition is recommended to secure the details of the construction, implementation and maintenance of this route.

- 8.17 The applicant proposes the installation of a series of concrete blocks along the western side of the access route, to segregate the footpath and bridleway users from the vehicular traffic accessing the application site. This is the arrangement currently in place next to the Museum. As advised by WSCC (Rights of Way), a minimum of 3m width is required for pedestrian/cycle/horse access (as shown on the plans). Separate consent will be required from WSCC under Section 66 of the Highways Act as the proposed access and structures are on a Public Right of Way.

- 8.18 In summary on this issue, the proposed development will provide various options for pedestrian and cycle access to the site, and will safeguard the existing bridleway and permissive routes using the perimeter track. The proposed alternative route onto Church Lane will improve accessibility and public safety and this complies with the aims and policies of the Tangmere Neighbourhood Plan and CLP policy 52.

(iv) Noise

- 8.19 While this is a designated HDA for large horticultural development, the background noise levels on site are relatively quiet, particularly overnight towards the southern part of the

HDA. The site is on the periphery of Tangmere and many dwellings and gardens back directly onto the HDA. There are also residential neighbours to the south and south west of the application site along Church Lane where the environment is rural with limited man-made noise experienced. It is recognised that a number of third parties have raised noise as a concern, and Environmental Health have investigated noise complaints in relation to the impacts of activity on the eastern side of the HDA from Easthampnett residents. These issues relate to different businesses and operators. Nevertheless, this development must effectively minimise and manage its noise impacts and not exacerbate existing problems.

- 8.20 The noise concerns raised and those relevant to this type of development relate to such matters as traffic volume, HGV access routes and numbers, use of refrigeration vehicles, hours of activity, sounds transmission and relay from the large areas of glass and noise generated by plant and equipment. Further acoustic information has been provided during the assessment in response to the EHO's queries on the original acoustic assessment, and a revised assessment was submitted in April 2018.
- 8.21 It is proposed that traffic noise impacts will be minimised and managed by way of a combination of engineering and management solutions. The proposed hard mitigation features will include the creation and use of the new access track with landscaped bank, the use of signage and surfacing to reduce road speeds and noise (not speed bumps), ensuring the continued maintenance of the surfaces to prevent noise caused by uneven ground. A Travel Plan statement will encourage sustainable travel modes which makes the most of the pedestrian, cycle and bus connections and options for car sharing for staff. As recommended by the Environmental Health Officer, HGV movements will be restricted overnight between 23:00 and 04:30 with limited movements (2 HGV loads) permitted between 04:30-06:00. Operational noise impacts will be minimised and managed by the layout of the site enclosing the noisier elements of the yard and plant to the south of the glasshouse, erecting acoustic fencing around the yard, enclosures around plant and equipment as set out in the acoustic report, the provision of landscaped banks, reservoirs and basins to the south and west. Management measures to minimise operational noise will include scheduling of lorry deliveries and providing mains power supplies at the docks for the refrigerated lorries to plug into while loading.
- 8.22 Taking advice from Environmental Health, officers are satisfied that the revised assessment and conclusions, hard mitigation and supporting management proposals, will effectively reduce noise emissions from the site to no more than 5 dBA above background levels when measured 3.5m from any noise sensitive property. Following a period of negotiation which resulted in the revised acoustic assessment and mitigation plans, officers are now satisfied that the acoustic report realistically reviews the potential noise impacts of the proposal and all reasonable efforts have been made to minimise the sound experienced as a result of this development. The split of the 24 hour period into 3 distinct time bands (daytime, evening and night) and scheduling activities on site accordingly has resulted in a proposal that enables the business to run efficiently and effectively while taking the sensitivities of the nearby residents and the experience of the local environment into account.
- 8.23 The report concludes that, with mitigation and management, the noise from the development will not exceed 5dBA above the existing background level during the daytime, evening or night time periods. A level of no more than 5dBA above background will mean that some noise may be experienced, but officers are satisfied that this noise will not be significant. The recommended condition as advised by the EHO sets specific noise

levels based on current background levels which results in a maximum of 30dBA night, 35dBA evening and 38dBA daytime. This provides clarity for the applicant and ensures that any increase in background sound from other sources, including other horticultural uses and the A27 does not then allow the user of the application site to generate more noise. CLP policy 32 requires HDA development to generate "no significant adverse increase in noise levels". The Environmental Health Officer is satisfied with the calculations in the submitted report and has recommended the proposed noise conditions. It is considered that the proposed development will not result in a significant adverse increase in noise levels. It is recommended that the maximum noise levels and the associated mitigation and management arrangements are secured and managed through the use of conditions. On this basis, it is considered that the application complies with CLP policy 32 (1) and NPPF paragraph 123. Construction noise will be managed through a Construction Management Plan which is recommended to be secured by condition.

(v) Landscape and visual impact

- 8.24 The application site forms part of an open and largely flat arable agricultural landscape, with uninterrupted views across the HDA from public vantage points including by the Museum and from the nearby bridleway to the north and west, and filtered views from Church Lane to the south. Longer distance views are limited to a handful of points on the higher ground in Eartham/Boxgrove parishes (approx. 3-4km away) and the Trundle (approx. 6km away) from where the site will be viewed in the context of the existing horticultural development.
- 8.25 Given the piecemeal way the land has been brought forward for development, the size of the HDA and the scale of the proposed development, initially the proposed development will appear isolated to some degree from the existing glasshouse and associated development on the eastern half of the HDA. The proposed development is also substantial in scale, with a site area of over 6.6ha, a glasshouse of 3.45ha up to 7.4m to ridge, continuous built form extending to some 290m in length along the eastern boundary and a packhouse/coldstore that is 78m wide and up to 14m tall. However, the site is allocated for large scale horticultural development including glasshouses and packhouses. The proposal is of the same character and similar form as the existing adjacent established horticultural development. Therefore in both immediate and longer views, the proposal will be seen in this context. It would not be unusual or unexpected to see this development in this location.
- 8.26 Negotiations between the applicant and officers have resulted in the various amendments to reduce landscape and visual impact. The packhouse/coldstore element on the southern side of the site has been reduced in height with the bulk and massing of the structure reduced by the breaking up of the ridge line. Particular attention will be paid to materials and finishes, and a condition is recommended to secure these details. The proposed reservoir/banks and planted areas will soften and filter views. The planted belts which in places are up to 12m deep (these will be broader on site due to additional planting on banks), will include a mix of native trees with under storey planting suitable to the climate of the site and will include larger specimens to give some immediate impact. Officers consider these new planting belts in addition to the protection and retention of the existing vegetation will be sufficient to mitigate the landscape and visual impacts of development to comply with CLP policy. The management of the planting and banks is part of a recommended condition which would include a requirement for the replacement of any trees or plants that die or are removed within the first 10 years of the development.

Additionally, there will be a landscaped bank along part of the access route to reduce the visual impact of HGV movements on the residents to the north of the site.

Lighting

- 8.27 The hydroponics system relies on LED lighting within the glasshouse. The applicant proposes to use integrated blinds to restrict light spill from the glasshouse which will be electronically operated, and closed between dusk and dawn and whenever the lights are on. The final details of the blinds and operating systems are the subject of a recommended condition. The remaining buildings will be fully enclosed, with solid roofs. Some external lighting will be required for security and safe operation of the site. The proposed layout encloses the yard with all the building openings facing into the yard, which will contain the light to some degree, with sensible siting and direction of light fittings in accordance with the Institute of Lighting Engineers' Guidance. The bank along the access route will help protect the amenities of neighbouring properties from light pollution. Lighting will also be subject to a management plan to limit disturbance and minimise the light spill from the development.
- 8.28 In summary on the issue of landscape and visual impact, it is accepted that horticultural development of this size will lead to some landscape and visual impact, particularly where the site is in close proximity to public rights of way and vantage points and where there are limited intervening landscape features. However this must be balanced against the policy designation of the HDA, and the quality of the landscape affected. Officers consider that the revised proposals including mitigation, are sufficient to reduce the landscape and visual impact to a level that is compliant with CLP policy 32 (3) and (5) and policy 48. It is considered that the proposed methods of restricting light spill will comply with policy 32(2), as the lighting from the development will not cause significant adverse impact.

(vi) Drainage, sewerage and water use

- 8.29 The site is in flood zone 1. The proposed drainage strategy prioritises attenuation methods, to allow the business to capture and re-use surface water from the glasshouse roof and rainwater for the hydroponic and related systems including the heating and cooling mechanisms. Two reservoirs are proposed, with a total capacity of 7,475m³, of which 3,395m³ is the stormwater storage capacity. The largest reservoir will be lined. The smaller reservoir/basin will be unlined to take advantage of some limited capacity for infiltration on this site. It is proposed that the rest of the water will be piped (controlled discharge) or transported by swale along the north of Church Lane to Decoy Lane, where a culvert is proposed to connect to an existing ditch. The principle of the proposed drainage strategy is supported by CDC Drainage Engineers and complies with CLP policy 32 (7), 42 and the Council's Drainage SPD. Conditions are proposed to require full details of the drainage design, including the results of additional groundwater monitoring, and details of the maintenance of the proposed systems. It is proposed to use a Grampian type condition to secure the implementation of the off-site drainage. The applicant has advised that their lease arrangements with the landowner enable them to install the necessary drainage features.
- 8.30 The nearest sewer is a high pressure rising main, so instead it is proposed to use a package treatment plant. The EA raises no objection in principle, but advises that a permit will be required. This is considered acceptable in planning terms. Conditions are proposed to require full details of the proposed plant and associated maintenance.

(vii) Ecology

- 8.31 The site is currently in arable use with a mature vegetation boundary to the south and an area of scrub to the south west. Surveys have identified the presence of protected species that would be likely to be affected by development, including Great Crested Newts, reptiles, bats, water voles and arable breeding birds. Method statements and mitigation strategies have been submitted to deal with those species, which are considered acceptable. A biodiversity area will be created around the proposed landscaped bank and planting to the south of the site, in addition to the protection of existing field boundaries. A condition is recommended to secure appropriate planting or seeding and management of these areas for ecological and landscape purposes. The proposal is considered to comply with the requirements of CLP policy 49 and TNP policy 8.

(viii) Archaeology

- 8.32 The archaeological potential of the application site has been assessed using a desk top study. This identifies low to moderate archaeological potential and finds from the Bronze Age to Medieval periods and high potential for the post-Medieval and early modern periods. The Archaeology Officer considers this potential can be appropriately dealt with by means of a pre-development investigation, comprising a written scheme of investigation and trial investigation. This is advised as a condition. On this basis, it is considered that the proposal complies with CLP policy 47 and section 12 of the NPPF.

(ix) Pollution and contamination including hazards

- 8.33 The proposed development will not cause unacceptable levels of soil, water, odour or air pollution. Soil, water and air pollution can be appropriately controlled through details embedded in the drainage design (including interceptor features) and site and vehicle management including the Travel Plan Statement and Construction Management Plan. Horticultural developments of this type operate within strict environmental controls to protect their crop and do not cause odour pollution. There is however some risk to the development from existing contamination and unexploded ordnance (UXO) devices remaining from the past use of the site as an airfield. These risks have been reviewed in specialist studies submitted with the application and CDC Environmental Health. No objections are raised, with conditions advised including the requirement for a further detailed UXO study prior to any ground works taking place and a watching brief for unexpected contamination during groundworks. On this basis, the development is considered to comply with CLP policy 32 (2) and NPPF section 11.

Other matters

- 8.34 The proposed development will be powered by a combined heat and power plant.

Significant Conditions

- 8.35 Significant conditions include those relating to surface water and foul drainage details, noise levels and mitigation, lighting, construction details including construction management procedures, provision of safe pedestrian and cycle access, materials and finishes, protected species mitigation and a full landscaping and planting scheme including a management plan.

Section 106 Agreement

8.36 A section 106 agreement is required to secure the provision of access to the site. This will specifically secure:

- A routing agreement to confirm the use of the A27/Meadow Way/City Fields Way for all HGV access to the site
- Future use of the proposed access road across the HDA. The applicant intends to construct and maintain the access road. They will be required not to unreasonably frustrate the use of the proposed new access road by other horticultural businesses to access other parcels of land within the HDA, for example by charging unreasonable or disproportionate fees for the use or maintenance of this road.

Conclusion

8.37 Based on the above details, it is considered the proposal complies with development plan policies including CLP policy 32 and TNP policies 8 and 9 and therefore the application is recommended for approval.

Human Rights

8.38 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

DEFER FOR SECTION 106 THEN PERMIT subject to the following conditions and informatives:-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall not be carried out other than in accordance with the approved plans:

0917-P1-100 L, -101 L, -102 M, -103 M, -104 L, -105 J, -106 I, -107 L, -108 M (drainage), -109 L, -110 L, -111 L, -112 L, -113 I, -114 L, -115 L, -116 L

Reason: To ensure the development complies with the planning permission.

- 3) **No development shall commence**, including any works of demolition or site clearance, until a Construction and Environmental Management Plan (CEMP) comprising a schedule of works and accompanying plans has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the programme of demolition/site clearance and construction works including the construction of the access route,
- (b) the anticipated number, frequency and types of vehicles used during construction,
- (c) the location and specification for vehicular access during construction including routing arrangements (with regard to the S106 agreement), booked delivery slots and the use of banksmen where required,
- (d) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (e) the loading and unloading of plant, materials and waste,
- (f) the storage of plant and materials used in construction of the development,
- (g) the erection and maintenance of security hoarding,
- (h) the location of any site huts/cabins/offices,
- (i) the provision of road sweepers, wheel washing facilities and the type, details of operation and location of other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- (j) details of public notification both prior to and during construction works, including a named person to be appointed by the applicant to deal with complaints who shall be available on site and contact details made known to all relevant parties,
- (k) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles and restriction of vehicle speeds on haul roads. A dust management plan should form part of the CEMP which includes routine dust monitoring at the site boundary with actions to be taken when conducting dust generating activities if weather conditions are adverse,
- (l) measures to control and minimise the emission of noise during construction,
- (m) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (n) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas,
- (o) measures to reduce air pollution during construction including turning off vehicle engines when not in use, and plant servicing,
- (p) waste management including prohibiting burning,
- (q) protection of existing infrastructure on site (including along/intersecting with the access route), including pre-commencement investigation and the provision of markers, fencing, surfacing and exclusion zones where required, and
- (r) protection of access to and along public rights of way, cycle paths and permissive paths during works, and
- (s) protection of all existing retained landscape features including trees, hedgerows and retained agricultural land/biodiversity areas on and adjacent to the site.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and capacity, in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the construction of the development does not have a harmful environmental effect.

- 4) **No development shall commence** until a further detailed unexploded ordnance (UXO) study is completed and the results, with recommendations and mitigation measures (if required), has been submitted to and agreed in writing by the Local

Planning Authority. The approved development shall only proceed in full accordance with the agreed recommendations and mitigation measures (if required).

Reason: It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the commencement of development in order to manage the UXO risk at the site.

- 5) **No development shall commence on the site until** a written scheme of archaeological investigation of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposals for an initial trial investigation and mitigation of damage through development to deposits of importance thus identified, and a schedule for the investigation, the recording of findings and subsequent publication of results. Thereafter the scheme shall be undertaken fully in accordance with the approved details, unless any variation is first submitted to and agreed in writing by the Local Planning Authority.

Reason: The site is potentially of archaeological significance. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

- 6) **Notwithstanding the details on plan 0917-P1-108M, no development shall commence** until full details of the proposed surface water drainage scheme has 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 as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water 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. The drainage designs should demonstrate that the surface water runoff 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.

The surface water drainage scheme shall include:

- (i) The drainage of the full site including the access and the full route to the point of discharge into the public ditch network at a point where the necessary capacity exists
- (ii) Details of the means of re-use of water from reservoir 1, including associated treatment processes if required
- (iii) Appropriate pollution control measures which shall be integrated into the design of the scheme
- (iv) A full timetable for implementation
- (v) Full details of the maintenance and management of the SUDS system, set out in a site-specific maintenance manual, including include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life.

The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. **No building shall be**

first used until the complete surface water drainage system serving the site has been implemented in full accordance with the approved surface water drainage scheme. Upon completed construction of the SUDS system the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase. The efficient maintenance and ongoing operation for the SUDS system shall accord with best practice in line with guidance set out in the SUDS Manual CIRIA publication ref: C687 Chapter 22. The details are required to ensure the SUDS are designed appropriately and properly maintained and managed as soon as they are installed.

Note: Open storage and attenuation is preferred over piped systems.

- 7) Notwithstanding any details submitted, **no development shall commence** until details of a system of foul drainage of the site and a scheme for its maintenance and management have been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and/or Southern Water. All development shall be undertaken in accordance with the approved details.

The development shall not be first used until the approved works have been completed. Upon completed construction of the sewerage treatment system the approved maintenance and management scheme shall be strictly adhered to in perpetuity.

Reason: To ensure adequate provision for drainage. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

- 8) **No development shall commence** unless and until details of a Public Right of Way and Permissive Path Safeguarding Scheme have been submitted to and approved by the Local Planning Authority in consultation with WSCC. The Scheme shall include provision for the delineation of the definitive line of the existing bridleway (3581) together with details of its surfacing, drainage, maintenance, boundary treatment and the means of providing safe crossing and use of it, including appropriate signage and visibility splays, by vehicles using the access road serving the development.

The buildings hereby permitted shall not be first used until the measures set out in the agreed Scheme have been fully implemented. Thereafter the measures will be retained as approved.

Reason: To ensure the public right of way is retained in a safe and appropriate manner and that such matters are comprehensively addressed at the development's formative stage.

- 9) Notwithstanding the details on the plans, **no development shall proceed beyond the site clearance stage** until plans of the site (including the access road) showing details of all earthworks and final levels for the landforms and buildings hereby

approved have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- (i) the proposed grading and mounding of land areas including the levels and contours to be formed,
- (ii) the relationship of proposed mounding to existing vegetation, approved buildings, the access road and surrounding landform
- (iii) measures to ensure the retention of topsoil at the site.

The submitted details shall take into account the noise mitigation and drainage requirements. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent land.

10) No development shall proceed beyond the site clearance stage unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include:

- (i) a planting plan including all areas of planting identified on plan 103M
- (ii) schedule of plants noting species, plant sizes and proposed numbers/densities
- (iii) details of all bunds
- (iv) timetable for the implementation of all elements of landscaping. Planting early in the build programme will be expected
- (v) a full maintenance and management strategy including irrigation and the management of ecological areas including field margins.

The scheme shall include seeding with a Native British Wildflower Flora mix appropriate to the soil and climate of the site and shall make particular provision for the conservation and enhancement of biodiversity on the application site.

The details submitted shall include the ecological recommendations detailed in Section 4 of the Phase II Ecological Survey Update.

All planting, seeding or turfing and bunding comprised in the approved scheme of landscaping shall be carried out **in full accordance with the implementation timetable** unless otherwise agreed in writing by the Local Planning Authority.

The approved maintenance scheme shall be complied with in all respects unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants, including any existing trees or hedgerows indicated as being retained in the approved scheme, which within a period of 10 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 and to comply with the Natural Environment and Rural Communities Act 2006.

- 11) **No work shall commence on the approved access route** from City Fields Way to the site entrance until full details of the construction of the road including construction profiles, surfacing, and the construction and finishing of the associated landscape bank, have been submitted to and approved in writing by the Local Planning Authority. The road must be designed and managed in such a way so as ensure vehicles are prevented from driving in excess of 20 mph.

The construction of the access shall only proceed in accordance with the approved details. Once constructed, the surface of the access road must be maintained in good condition in perpetuity so as to provide a continuous even surface, free from defects.

The development shall not be first used until the approved access has been completed and made available for use. Vehicular traffic shall not use any alternative route other than that identified in the approved plans. At no time shall any operational traffic use the northern or eastern perimeter track to access the site.

At no time shall vehicles associated with the approved development park or wait on the access or perimeter track.

Reason: To ensure the details of this aspect of the development are fully agreed before works start, and the route is provided and used in accordance with the terms of the application.

- 12) **No development shall commence on the surface water drainage system** until the discharge of any flows to a watercourse has been approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority (WSCC). Any discharge to a watercourse must be at a rate no greater than the predevelopment run off rates. The approved discharge rates must be adhered to.

Reason: The details are required to ensure that the proposed development is satisfactorily drained and does not increase flood risk on or off site

- 13) **No development shall commence on the surface water drainage system** until the arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted to and approved in writing by the Local Planning Authority. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site. The access and maintenance arrangements shall be implemented as approved throughout the life of the development.

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. The details are required pre-commencement these details relate to the construction of the development and thus go to the heart of the planning permission.

- 14) **No development comprising the construction of the superstructure of any building or structure hereby permitted shall commence** unless and until a full schedule of all external materials and finishes, including samples where requested by the Local Planning Authority, has been submitted to and approved in writing by the

Local Planning Authority. The approved materials and finishes shall be used in the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to minimise the landscape impact of the development.

- 15) **No development comprising the construction of the superstructure of any building or structure hereby permitted shall commence** until a detailed lighting scheme including lighting management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall set out how the design of the lighting shall not exceed the obtrusive light limitations for exterior lighting of the Institution of Lighting Professional Guidance for Environmental Zone E2; as shown below:

Sky Glow ULR [Max %]: 2.5

Light Intrusion (into windows) Ev [lux] pre-curfew: 5

Light Intrusion (into windows) Ev [lux] post-curfew: 1

Luminaire Intensity in candelas pre-curfew: 7500

Luminaire Intensity in candelas post-curfew: 500

Building Luminance pre-curfew, Average, L [cd/m²]: 5

The curfew is 22:00.

The scheme shall include an isolux diagram showing the predicted luminance in both the horizontal and the vertical plane (at a height of 3.5 metres) for the development.

The scheme approved by the Local Planning Authority shall be fully implemented in accordance with the approved details. The works and scheme shall thereafter be retained and managed in accordance with the approved details.

Reason: These details are required to protect the appearance of the area, the environment and local residents from light pollution and in the interests of preserving the nature conservation interests of the area.

- 16) **The construction of the glasshouse shall not commence** until full details of the proposed blinds system including operational procedures and maintenance requirements are submitted to and approved in writing by the Local Planning Authority. The glasshouse shall not be first used until confirmation is given that the approved blinds are fully installed and operational. The blinds shall therefore be used in accordance with the agreed operational procedures. No lighting shall be used within the glasshouse between dusk and dawn without the blinds being fully closed.

Reason: To prevent light spill and harm to the landscape, wildlife and amenity.

- 17) **No development comprising the construction of the superstructure of any building or structure hereby permitted shall take place unless and until details of boundary treatments including screen walls and/or fences to be erected on the site have been submitted to and approved in writing by the Local Planning Authority.** No building shall be first used until such screen walls and/or fences associated with them have been erected. Once erected the screen walls and fences should be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

- 18) **No part of the development hereby permitted shall be first used** until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council as the Local Highway Authority. The Travel Plan Statement shall be based on the measures proposed in the draft Travel Plan Framework by GTA Civils within the Transport Statement dated May 2017.

Once approved, the Travel Plan Statement shall thereafter be implemented as specified within the approved document and in accordance with the agreed timescales. The Travel Plan Statement shall include procedures for monitoring and review to ensure it remains up to date and effective. The Travel Plan Statement 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.

- 19) **No part of the development shall be first used** until the proposed foot/cycle permissive route from Church Lane to the existing foot/cycle permissive route shown on drawing number 0917-P1-116L has been constructed in accordance with plans and details which have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the construction (including levels and drainage), surfacing, marking, lighting (if required) and the maintenance and management of the path. The path shall thereafter be retained and maintained as approved.

Reason: In the interests of local amenity and highway safety.

Note: Separate consent will be required from West Sussex County Council for the connection of the path to the highway.

- 20) **No part of the development hereby permitted shall be first used** until the vehicle parking and turning space has been constructed and laid out in accordance with the approved site plan and the details specified within the application form. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of ensuring sufficient vehicle parking and manoeuvring on-site to meet the needs of the development.

- 21) **No part of the development hereby permitted shall be first used** until covered and secure cycle parking spaces have been provided in accordance with plans and details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 22) **No part of the development hereby permitted shall be first used** until refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

- 23) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. Thereafter **the development shall not be first used until**

- i) An investigation and risk assessment has been undertaken in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, and
- ii) where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority.

Any remediation shall be fully implemented in accordance with the approved scheme before the development is brought into use, and

- iii) a verification report for the remediation shall be submitted in writing to the Local Planning Authority before the development is first brought into use.

Reason: In the interests of amenity and to protect the health of users of the site from any possible effects of contaminated land in accordance with local and national planning policy.

- 24) **The development shall not be first used** until all the noise mitigation measures listed below have been installed in accordance with the specifications in the Sound Planning Report dated 30 January 2018 (reference 02886R3) supported where specified by the contents of the Sound Planning Report dated 5 June 2017 and the supplementary addendum letter from Sound Planning dated 16 April 2018:

- (i) Building continuation screening enclosing the yard, including an acoustic gate as identified on plan 104L
- (ii) Cogeneration Unit main body fully enclosed within a 100mm acoustic panel enclosure
- (iii) Cogeneration Exhaust fitted with a 20% Free Area inline duct attenuator 2.4m long/high
- (iv) 5m high landscaped bund along part of the northern and western boundary of the access route as identified on plan 107L

These mitigation measures shall be retained in perpetuity.

Reason: In order to protect the amenity of nearby residents and the rural character of the locality

- 25) The construction of the development and associated works shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 0700

hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays.

Reason: To protect the environment and the amenities of the public, residents and businesses

- 26) The implementation of this planning permission shall be carried out strictly in accordance with the method of works and mitigation measures detailed in Section 4 of the submitted Phase II Ecological Survey Update produced by GPM Ecology, dated 7 October 2017, unless otherwise agreed in writing by the Local Planning Authority on receipt of further ecological evidence.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

- 27) At no time shall the noise generated by this development and associated use of the site including the use of the access road exceed 30dB(A) during the night time period (23:00-06:00), 35dB(A) during the evening period (19:30-23:00) and 38dB(A) during the daytime period (06:00-19:30) measured 3.5m from any noise sensitive property.

The rating sound levels and uncertainty shall be obtained in accordance with BS 4142:2014.

Reason: In order to protect the amenity of nearby residents and the rural character of the locality

- 28) The site shall only be operated within the following restrictions (unless otherwise agreed in advance in writing by the Local Planning Authority):
- (i) Daytime (06:00-19:30) 8 HGVs per hour (16 movements) for loading and access
 - (ii) Evening (19:30-23:00) 4 HGVs per hour (8 movements) for loading and access
 - (iii) Night time (23:00-04:00) no HGV movements
 - (iv) Early morning (04:30-06:00) 2 HGVs per hour (4 movements) for access only.

Reason: To protect the amenities of nearby noise sensitive properties and the surrounding environment, particularly in the quieter evening and overnight periods.

- 29) Refrigerated trailer units must be powered using mains electrical supplies whenever the trailer unit is stationary.

Reason: In order to protect the amenity of nearby residents and the rural character of the locality.

- 30) Unless otherwise agreed in advance in writing by the Local Planning Authority, vehicles reversing on site shall not use a single tone 'bleeping' audible reversing alarm.

Reason: To protect the amenities of local residents.

- 31) The development hereby approved shall only be used for the growing of fresh and chilled horticultural products and other ancillary processes directly related to the preparation of vegetable and salad products, such as washing, packing, shredding, storing and assembling. At no time shall the development hereby approved be used for the processing, including cooking, of horticultural or other products other than that prepared for staff within the facilities hereby approved.

Reason: To accord with the terms of the planning permission and the designation of the site as part of a Horticultural Development Area under Chichester Local Plan policy 32.

- 32) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: To enable the Local Planning Authority to retain control over the development which may be injurious to the amenities of the area and of neighbouring properties and to prevent pollution

INFORMATIVES

- 1) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990.
- 2) The applicant is advised to have regard to the contents of the consultation response from the Environment Agency dated 2 August 2017.
- 3) The applicant is advised to have regard to the contents of the consultation response from Southern Water dated 2 August 2017.
- 4) The applicant is advised to have regard to the contents of the consultation response from WSCC Rights of Way dated 24 October 2017 and to ensure the relevant consents are obtained from WSCC before any works commence that may affect Public Right of Way number 3581.
- 5) The applicant is reminded that the prior written consent of the Environment Agency, West Sussex County Council as Lead Local Flood Authority and other external organisations may be required in order to comply with the Land Drainage Act 1991 and Flood and Water Management Act 2010. Additional consents may be required in respect of water and foul discharge off site including Ordinary Watercourse Consent.
- 6) When submitting lighting details for approval, it is requested that a report from a competent Lighting Professional is provided, confirming that the external lighting installation meets the Obtrusive Light Limitations for Exterior Lighting Installations for

Environmental Zone (to be specified for the circumstances) as set out in the "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" issued by the Institute of Lighting Professionals.

- 7) The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- 8) For further information and technical guidance regarding land contamination the applicant should contact the District Council's Environmental Protection Team (01243 785166).
- 9) Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).
- 10) 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.

For further information on this application please contact Naomi Langford on 01243 534734