



Parish: North Mundham	Ward: North Mundham And Tangmere
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NM/22/02679/FUL

Proposal	Erection of extensions to existing packhouse, revised parking arrangements and improvements to site access.		
Site	Leythorne Nursery Vinnetrow Road Runcton West Sussex PO20 1QD		
Map Ref	(E) 488258 (N) 103169		
Applicant	Mr J Marks	Agent	Mr Richard Goodall

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

1.1 Parish Objection – Officer recommends permit.

2.0 The Site and Surroundings

2.1 The 3.4 hectare (ha) site hosting Leythorne Nursery is located to the east of Vinnetrov Road, a C class road, and is within a Horticultural Development Area (HDA). For the purposes of the Local Plan the site lies within the Rest of the Plan Area (countryside). The site is located wholly within Environment Agency (EA) Flood Zone 1 and is in close proximity to an archaeological area. To the east, north and south the site is predominantly surrounded by other existing horticultural development with some residential properties located to the north and south fronting Vinnetrov Road. Residential properties are also located on the west side of Vinnetrov Road. In addition, there are two private semi-detached residential dwellings (1 and 2 Leythorne Cottages) which are located within the application site, but outside of the red line site boundary. These two dwellings have their own access road which is located at the southern end of the site adjacent to Leythorne House within the red application site line and shown to be retained.

2.2 The application site is accessed off Vinnetrov Road, with the access road running adjacent to the northern boundary. The existing packhouse is located in the north-eastern part of the site and comprises one main rectangular building on the western side with four smaller building projections on the eastern side. The packhouse ranges in height from 7.6m to 11m, with a central corridor of 5m. The existing packhouse building is set back approximately 160m from Vinnetrov Road. In addition to the two private residential dwellings which are located close to the site frontage, the area between Vinnetrov Road and the front of the packhouse building comprises existing landscaping and the turning area for delivery lorries. A large irrigation reservoir is located to the south of the site. The existing parking area is located immediately to the south of the main rectangular building. The existing packhouse is visible from Vinnetrov Road, however due to its position setback within the site and the nature and maturity of the existing vegetation, the existing packhouse is not prominent in the streetscene.

3.0 The Proposal

3.1 The application seeks planning permission for the erection of two extensions to the existing packhouse, revised parking arrangements and improvements to site access.

3.2 The two extensions are proposed to the west (extension 1) and south (extension 2) of the main western rectangular building.

- Extension 1 would be approximately 30m wide, 73m long and 8.9 high with a pitched roof (2,172sqm)
- Extension 2 would be approximately 30.5m wide, 35m long and 9m high with a pitched roof (1,077sqm)
- Extension 1 and 2 – total 3,249sqm

The extensions would consist of profiled steel sheeting walls and roof with uPVC windows to match the existing packhouse.

- 3.3 The application includes two dock leveller zones for HGV loading, which can accommodate a total of eight HGVs / tractors.
- 3.4 The application proposes the removal of an existing accommodation block (356sqm).
- 3.5 The amendments to the parking comprise relocating the existing 55 parking spaces (spaces informally laid out) to the south of the main rectangular building and moving them to the south-eastern corner of the site to provide 50 car parking spaces (formally laid out) including 4 disabled spaces and a covered cycle store, proposing 22 cycle spaces and 5 motorcycle spaces.
- 3.6 The access alterations comprise widening of the existing access junction from Vinnetrow Road and the site access road at the northern end of the site to allow for improved HGV access. In particular, the radii of the priority junction would be increased from 11m to 12m, the access road widened from 8.8m to 10m and the bellmouth widened from 23m by 8.3m to the south. The application also proposes changes to the general circulation arrangements within the site. The existing southern access (not for HGV or business use) will be retained. The access to the existing residential properties, as well as to third party businesses will be maintained as at present.

4.0 History

96/00038/FUL	PER	Extension to packhouse and cold store.
96/02130/FUL	PER	Extension to packhouse and cold store (amendment to previous approval NM/96/00038/FUL) and formation of landscaping bank.
16/03171/ELD	PER	To establish the current use and operation of NV Transport's haulage business on the areas of Leythorne Nursery.
19/02017/ELD	PER	Use of building as a packhouse for the packing and distribution of fresh produce by Barfoots of Botley, in breach of condition 12 of planning permission NM/96/00038/FUL.
21/03208/FUL	WDN	Erection of extensions to existing packhouse, along with staff accommodation block, revised parking arrangements and improvements to site access.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	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 North Mundham Parish Council

North Mundham Parish Council has considered this application and resolved to object. Our grounds for objection reflect our reservations on the impact of the extension to the packhouse on neighbouring residents.

It is clear that this application makes provision for what could be a very significant increase in activity on the site. The proposal nearly doubles the size of the building. Although we are told that there will only be a very small increase in traffic to and from the site, it appears that the number of loading bays will double. We fail to understand how an increase of this scale can be justified unless it presages a similar uplift in throughput. Indeed, the Sound Level Impact Assessment tells us that it is intended to increase production by 30% (Sound Level Impact Assessment - Introduction, second paragraph page 5).

Our concern is mainly directed at the impact on the adjacent residential properties, and the increase in noise levels that they will experience. It has already been made clear from responses to the application that noise is an existing problem both the noise of operational activity on site from vehicles and machinery, and significantly the noise of trailer refrigeration units kept running for prolonged periods. We are concerned that with the increase in the size of the building that the internal night time noise levels will have an increased detrimental affect on the residents and in particular those residing in Leythorne House.

The traffic assessment states that the loading and unloading capacity of the site will be increased by 100% (2.3ii page 6), and that the HGV movements will increase from 30 HGV movements at peak season to 70 daily movements by 2028. We also note that the Transport Assessment indicates that a significant proportion of the predicted traffic flow of HGVs exiting the site will travel south down Vinnetrow Road to join the B2166. The B2166 is already heavily overloaded at peak times, to the detriment of the quality of life for residents of North Mundham. There appears to be a missed opportunity for a structured transport plan for this development, to manage traffic flows away from residential areas.

We note in addition the comments submitted by Madestein in relation to the proposed drainage solution and await a response in relation to the calculations and proof that the existing drainage pond can safely handle the proposed additional drainage.

6.2 Southern Water

No objection

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

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.

If the applicant proposes to offer a new on-site drainage and pumping station for adoption as part of the foul/surface water public sewerage system, this would have to be designed and constructed to the specification of Southern Water Services Ltd. A secure compound would be required, to which access for large vehicles would need to be possible at all times. The compound will be required to be 100 square metres in area, or of some such approved lesser area as would provide an operationally satisfactory layout. In order to protect the amenity of prospective residents, no habitable rooms shall be located within 15 metres to the boundary of the proposed adoptable pumping station, due to the potential odour, vibration and noise generated by all types of pumping stations. The transfer of land ownership will be required at a later stage for adoption.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

6.3 National Highways

We are content that the proposals, if permitted, would not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the Strategic Road Network in the vicinity of the site. Recommends condition restricting the use of building to a packhouse only. Wishes to comment on CEMP when being discharged and request construction traffic seek to avoid the SRN during peak hours of 08:00-09:00 and 17:00-18:00 and any loose loads on vehicles using the SRN are adequately secured and sheeted.

6.4 WSCC Highways

The site is located on Vinnetrow Road, a C-classified road subject to a speed restriction of 40 mph in this location.

WSCC in its role as Local Highway Authority (LHA) previously provided formal consultation comments pertaining to highway matters for this site for application NM/21/03208/FUL, raising no objections. The applicant withdrew the application.

For the current application, from inspection of the plans, the proposals appear very similar to what was previously proposed for withdrawn application NM/21/03208/FUL. The only notable changes are the omission of the proposed 30-bed staff accommodation block and a slight modification to the covered cycle store, now proposing 16 cycle spaces and 7 motorcycle spaces. The LHA raise no concerns with the proposed amendments.

Given the similarities of what is proposed, the LPA are advised to refer to the LHAs previous consultation response for application NM/21/03208/FUL, of which no objections were raised, for other relevant highway comments and assessment.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Recommends conditions for Vehicle Parking, Cycle Parking, CEMP.
Recommends informative for Works within the Highway - Implementation Team.

WSSC Highways response for withdrawn application 21/03208/FUL

Background and Site Context

The development site is currently operational as Leythorne Nursery packhouse, located around 3km southeast of central Chichester and is connected via Vinnetrow Road. The packhouse measures around 4,279sqm which includes one dock leveller zone for HGV loading. There is a redundant office building of 356sqm area to the south of the packhouse. Car parking provision for around 55 cars are made within two car parking areas. On a typical weekday, there are around 130 employees working on the site.

The development proposals are for the demolition of the redundant office building, construction of a new staff accommodation block and an extension to the existing packhouse to increase the floor area to a total of 7,528sqm. The development proposals also include widening of the existing northern access junction from Vinnetrow Road and the site access road. The existing southern access (not for HGV or business use) will be retained. Two dock leveller zones will be formed which can accommodate eight HGVs / tractors. The access to the existing residential properties, as well as to third party businesses will be maintained as at present.

Pre-application discussions have been held with both West Sussex County Council (WSSC) and National Highways (formerly Highways England).

Access

The site is accessed from Vinnetrow Road using a simple priority junction. Vinnetrow Road which forms a minor arm to the 5-arm Bognor Road roundabout is a two-way single carriageway road subject to 40mph speed limit. There are two existing access into the site. The main access is via northern access which facilitates all vehicle movements into the Leythorne Nursery buildings and commercial buildings. The southern access provides vehicular access to the private dwellings and this access is restricted beyond the boundary of the commercial buildings.

As part of the development proposal the northern access will be widened to accommodate two-way HGV movements. The simple priority junction arrangement will be retained with

an increase in radii to 12m and increase of access road width to 10m. Swept path analysis demonstrate that a 16.5m long articulated HGV and a 10m rigid lorry can simultaneously pass at the site access safely. The modified access is considered fit for the purpose.

The issues raised during the Stage 1 Road Safety Audit have been addressed where possible and accepted for addressal at detailed design stage.

Visibility

Traffic surveys recorded an 85th percentile speed for northbound (southern ATC) as 45.7mph and for southbound (northern ATC) as 43.4mph. Therefore, visibility splays were derived in accordance with DMRB for the recorded vehicle speeds that are in excess of 40mph. Using the calculation set out in Manual for Streets 2, the visibility splays should be provided as 128m to the south and 118m to the north. The desired visibility splays are achievable along both directions of Vinnetrow Road.

Personal Injury Accident (PIA) Data

WSCC's online record for road traffic collisions have been interrogated. This reveals there has been no personal injury accident near to the site access in the last five years. This indicates the site access has been operating in a safe manner in its present form.

Parking

WSCC's Guidance on Parking at New Developments (September 2020) has been used to calculate the car and cycle parking requirement for the proposed packhouse with the nearest fit for use class B8 storage and distribution. In accordance with the guidelines the development aims to provide a total of 76 vehicle parking spaces within three car parking areas.

Safe and covered provision for a total of 31 cycle parking spaces will be made, including staff and visitors. The packhouse will be provided with a total of 16 spaces whereas 15 spaces will be provided near to the staff accommodation block. In line with IHE Guidelines for Motorcycling, the development will be provided with a total of 10 motorcycle parking space out of which seven are for the packhouse users and three are for the staff accommodation users. This level of parking is considered acceptable.

Trip Generation and Highway Capacity

WSCC and National Highways pre-application advice have been taken on board and a detailed trip generation, assignment and development impact exercise has been carried out. Table 6.12 within the Transport Assessment shows the net trip attraction for the years 2021, 2026, 2031 for Non-HGV trips, HGV trips and Office trips. The Office trips have been eliminated for the years 2026 and 2031 as the redundant office building will be demolished. It is observed that the existing trips are higher than the proposed trips in 2026 and 2031.

A junction capacity assessment is carried out using Junctions 9 modelling software and the results are summarised within Table 8.1 of the Transport Assessment. The modelling years include 2020 when the traffic surveys were conducted, 2021 when the proposed development would be operational, 2026 and 2031 which are five and 10 years respectively after the site has been operational. The modelling results show that the proposed access operates well within capacity and with minimal queuing across the 2026 and 2031 future year scenarios.

Sustainability

The Travel Plan submitted with the application details the existing sustainable travel opportunities. The development is accessed by bus using the bus stops located along Lagness Road, approx. 650m (16-minute walk) to the south of site access. These bus stops are served by bus routes 600 and 25. The bus route 600 provides service to Chichester and Bognor Regis and bus route 25 provides service to Chichester, Portsmouth and Pagham. National Cycle Route 2 located around 1.2km west of the site provides direct cycle route to the centre of Chichester. The LHA consider the site as sustainable.

Conclusion

The Local Highway Authority (LHA) does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (NPPF), paragraphs 110 -113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal.

Recommended conditions for Vehicle Parking, Cycle Parking, EVC Parking Spaces, CEMP

Recommended informative for Works within the Highway - Implementation Team.

6.5 WSCC Lead Local Flood Authority

- Assessed surface water flood risk - low risk
- Assessed groundwater flood risk - negligible to low risk
- Ground water contamination and Source Protection Zones – not considered by LLFA
- Watercourses nearby? Yes. Current Ordnance Survey mapping shows a reservoir and pond within the site boundary and several within close proximity to the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present these should be maintained and highlighted on future plans.
- Records of any surface water flooding within the site? No.

Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.

Advise:

- Further groundwater monitoring is suggested, based on the WS4 anomaly.
- Based on SuDS Policy 3: Mimic Natural Flows and Drainage Flow Paths in the Policy for the Management of Surface Water, the use of pumps in drainage schemes is not recommended. Drainage should be based on greenfield discharge routes and follow natural drainage routes where possible.
- Can the appropriate calculations be completed in accordance with SuDS Policy 2 and 3, based on FEH method? This will also help break down the changes in the permeable/impermeable areas which were not easily found in the Flood Risk Assessment and Drainage Strategy.
- This advice will help demonstrate flood risk will not increase elsewhere, in accordance with SuDS Policy 2 of the Policy for the Management of Surface Water and the NPPF.
- If the capacity of water stored in the reservoir/pond exceeds the thresholds set by the Environment Agency, they will need to be consulted.

Sustainable Drainage Systems (SuDS)

The Flood Risk Assessment and Drainage Strategy for this application proposes that sustainable drainage techniques (rainwater harvesting/reservoir storage and porous pavement storage) would be used to control the surface water from this development. In the spirit of SuDS implementation, and in line with policy within the West Sussex Lead Local Flood Authority Policy for the Management of Surface Water, betterment for surface water systems on the new developments should be sought. This could include retention at source through rain gardens, permeable paving, swales or bioretention systems. SuDS landscaping significantly improves the local green infrastructure provision and biodiversity impact of the developments whilst also having surface water benefits.

All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.

The maintenance and management of the SuDS system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

6.6 CDC Drainage

Flood Risk: The site is wholly within tidal/fluvial flood zone 1 (low risk), and according to our mapping there are only small areas of the site at significant (greater than 1 in 100 year event) risk of surface water flooding which are all associated with areas which are already developed. Therefore subject to satisfactory surface water drainage we have no objection the proposed use, scale or location based on flood risk grounds.

Surface Water Drainage: The scheme is loosely broken into three parts so we thought it easiest to comment on each in turn and then provide some more general comments.

Northern Area - The proposal is no increase in impermeable areas and the continued utilization of the current surface water drainage network, which ultimately pumps the water into a reservoir for re-use. This approach is acceptable in principle.

Southern Area - The proposal is to not increase impermeable areas by the construction of a "picnic area" and permeable parking which will offset additional concrete. This approach is acceptable in principle.

Western Area - The proposal involves a "significant net gain" in the impermeable areas, and a subsequent need for additional positive drainage. The current proposal is for permeable paving (infiltration to ground) with excess water pumped to existing reservoirs. We do have some concerns with the use of pumps because they are not "sustainable" and would expect wherever practical that surface water drains to ground. If pumping of surface water is required for irrigation, then it must be designed so that should it fail the system will continue to drain without flooding on or off-site. The FRA/Drainage statement says "The existing east to west exceedance flow path on the site towards Pagham Rife will be retained."

We have the following general comments:

1. Winter percolation tests at the location and depth of the proposed permeable paving structures will be required for detailed design, and wherever possible these should drain independently to ground, i.e. not have an overflow unless required due to poor infiltration rates.

2. Capacity in the "reservoirs" will need to be demonstrated at detailed design stage, and details of where surface water would go should the capacity be exceeded.

3. There is correspondence on file from an interested parties regarding additional contributing areas to the existing surface water drainage network, these will need to be accounted for at detailed design stage.

4. Storage within the surface water scheme will need to be provided for the 1 in 100yr event + 40% climate change.

We are satisfied that they should be able to adequately drain the development and therefore if you're minded to approve the application we recommend a surface water drainage scheme condition.

6.7 CDC Environmental Protection

Further comments received on 14.02.23

Our department is satisfied with the attached NMP for 22/02679/FUL Leythorne Nursery. No further comments to make.

Further comments received 08.02.23

The NMP has been revised to read "HGV and fork lift truck operations within the yard area will principally operate between 6.00am and 6.00pm; albeit with some outloads potentially continuing to and no later than 11.00pm". This is not the same as "Forklift Trucks, to the service yard, shall only operate between 6am and 6pm", as stated in Section 8.3 of the October 2022 Sound Level Impact Assessment.

We would expect to see the tighter control, as previously stated, unless adequate justification was provided.

Further comments received 06.02.23

Our department would be supportive of the attached Apple Environmental, Noise Management Plan (NMP) (January 2023) being a stipulation of any permission that may be granted subject to the following points:

1. A requirement that all structural mitigation listed in Table 2 of the Noise Management Plan is maintained for the duration of the development.
2. There is an understanding that there shall not be any new external plant associated with the development. Any new plant shall have to be assessed in accordance with BS4142:2014+A1:2019 "Methods for Rating and Assessing Industrial and Commercial Sound" and gain formal approval from the Local Planning Authority.

3. It is recognised that any Noise Management Plan is a dynamic set of measures that is subject to continual review in accordance with any development of the business and any changes in practice. Any NMP that is subject to approval from an outside authority shall be notified of any material changes, as further approval to the changes shall be required. It is noted that it is proposed to review the NMP's procedural actions annually. It is considered that the NMP shall also be subject to review at the request of the Local Planning Authority as a result of validated complaint. A review of the NMP, at the request of the Local Planning Authority, shall require active sound level monitoring and a reporting of the results within 60 days.

4. Table 2 of the NMP shall have added that Forklift Trucks, to the service yard, shall only operate between 6am and 6pm, as stated in Section 8.3 of the October 2022 Sound Level Impact Assessment.

Further comments in relation to noise received 13.01.23

To confirm, our department maintains the consultation comments provided on the 16th November 2022.

It is considered that adverse noise impacts can be avoided with the stipulation and implementation of an adequate Noise Management Plan, to be submitted for approval.

As stated, in our response, the applicant may wish to agree a Noise Management Plan, prior to determination, so that it can be a stipulation of any approval. This may go some way to offering assurance to the Parish Council and neighbouring resident, as it can address their concerns ranging from hours of operation, HGV movements, lorry waiting point, forklift movements, state of yard surface etc.

Our department considers that Apple Environmental "Sound Level Impact Assessment and Noise Management Plan (October 2022) offers an adequate level of assessment and that the methodology and criteria used is appropriate. We do not accept assertions that there should be serious doubts over the reports veracity and conclusions nor is it accepted that there is a lack of professional rigour of the submitted noise report and potential manipulating sound test results. Our department is satisfied that the Sound Level Impact Assessment offers a fair and practicable assessment of the potential impacts and provides commensurate mitigation, that can be incorporated in to Noise Management Plan that safeguards residential amenity.

Some background may be useful to illustrate the level of scrutiny that our department has given to the potential noise impacts.

Our department could not be supportive of a previous planning application at site (Ref: 21/03208/FUL), which was withdrawn. Part of the reason was that we were not satisfied with the Noise Impact Assessment, that was submitted at that time. We were not accepting of the methodology or the criteria used. Our comments were provided in November 2021. We then liaised with Richard Goodall (Advoco Planning) and Adrian Whittle (Apple Environmental Ltd) to communicate criteria and survey methodology that was in line with Planning Noise Advice Document: Sussex (September 2021) which Chichester District Council has adopted as a Technical Advice Note.

I met with a neighbour at his property in Vinnetrow Road to listen to his concerns and fed them back to the consultants in an attempt they were addressed in assessment. It is evident the neighbour does not feel that this has been achieved.

Our department was provided with an updated Draft Sound Level Impact Assessment (July 2022) that set out to remedy the shortfalls of the initial assessment. The July 2022 assessment was scrutinised and you were provided our comments to the draft within our most recent consultation response. Our department is satisfied that our comments were adequately addressed through the Apple Environmental "Sound Level Impact Assessment and Noise Management Plan (October 2022).

Original comments received 16.11.22

No objection. Recommend conditions.

Noise:

Consideration has been given to Apple Environmental "Sound Level Impact Assessment and Noise Management Plan (October 2022). Our department had the opportunity to comment upon a draft version of this report, prior to submission for this application. It is confirmed that the revised Noise Report adequately addresses our comments that were raised in relation to the draft.

Lighting:

Reference is made to Advoco Planning's Design Access and Planning Statement (October 2022) Sections 7.48, 7.49 and 7.57. These points are welcomed and it is agreed that appropriate lighting can be secured by way of condition.

Air Quality

Consideration has been given to Highgate Transportation Transport Assessment (HTp/2063/TA/02, October 2022). It is not considered that the predicted increase in vehicle movements will have a significant adverse impact upon air quality at site. The allocation of electric vehicle charging points shall have to be in accordance with Building Regulation or West Sussex County Council Parking Standards.

Contaminated Land:

Given the site's location, there is potential for land contamination to be present. Recommend conditions. Given the age of the buildings there could be asbestos within the structures. Recommend informative.

Construction Environmental Management Plan:

Given the proposed scale of development and the proximity of sensitive receptors it is considered necessary to specify a Construction Environmental Management Plan condition.

6.8 CDC Economic Development

The Economic Development Service supports this application.

The proposed development is an appropriate use of commercial land for horticultural purposes within a designated Horticultural Development Area.

The applicant's horticulture business is a significant contributor to the local economy with a total of 450 full time employees working in the Chichester and Arun Districts of which around 130 employees work at the site to which this planning application relates.

The proposed development will help protect the existing workforce and support the applicant's business which is especially pertinent given the increased costs faced by the horticultural industry. In this regard, according to the NFU's Promar report published in November 2022, the overall production costs for UK growers have increased by around 27% in the past 12 months with the main drivers being:

- Energy costs - up 165%
- fertiliser costs - up 40%
- packaging costs - up 23%
- workforce costs - up 13%

Horticulture is strategically important to both the Chichester District and West Sussex as a whole. In this regard a research report published by the West Sussex Growers' Association In February 2021 provided the following estimates which demonstrate the importance of the horticulture industry to the economy of West Sussex:

- Approximately £1billion of annual sales
- Gross Value Added (Direct plus Indirect) of approximately £750m per annum
- Over 10,000 full-time equivalent jobs, comprising 6,500 permanent jobs and 3,500 seasonal workers

6.9 CDC Environmental Strategy

Additional comments received 20.03.2023

Following submission of the energy and sustainability statement we are satisfied with the inclusion of PV panels. This meets the requirements of Policy 40.

Original comments received on 03.11.2022

Policy 40

As detailed within Policy 40, we require that renewable energy technologies are installed as part of the scheme. We require that further information is submitted detailing how these requirements will be met within this scheme.

Bats

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.

Reptiles

We are happy that a precautionary approach can be undertaken on the site for reptiles. This involves any removal of scrub, grassland or ruderal vegetation to be done sensitively and done with a two phased cut.

Hedgehogs

Any brush pile, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid- October to mid-March inclusive. The piles must undergo soft demolition.

Nesting Birds

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 (within 24 hours of any work).

Enhancements

The enhancements detailed in Section 4.1, Figure 1 and Figure 2 in the Ecological Appraisal (September 2021) are suitable and should be incorporated within the scheme and shown within the landscaping strategy and LEMP.

LEMP and CEMP

Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction will need to be included within the Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) and submitted prior to determination.

6.10 CDC Archaeology Officer

It seems unlikely that deposits of archaeological interest will have survived the effects of previous development of this site to the extent that measures to mitigate further impact would be warranted.

6.11 Third party representations

4 no. letters of objection have been received concerning;

- the existing substation and underground cables
- impact of noise and disturbance from the proposal
- hours of operation are a source of nuisance
- accuracy of the noise report (lacking professional rigour)
- increasing number of HGV docks moving closer to residential areas
- parking and waiting areas for HGV are noisy
- drainage scheme does not account for existing drainage pond use which has been full a number of times recently. Other sites have right to the pond which rights should be preserved
- request drainage calculations for existing capacity/demand and proposed drainage provisions

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is no made Neighbourhood Plan for Runcton at this time.
- 7.2 The principle 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 2: Development Strategy and Settlement Hierarchy
Policy 3: The Economy and Employment Provision
Policy 8: Transport and Accessibility
Policy 26: Existing Employment Sites
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 48: Natural Environment
Policy 49: Biodiversity

National Policy and Guidance

- 7.3 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2021), which took effect from 20 July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed;
or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

- 7.4 Consideration should also be given to the following paragraph and sections: Sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15 and 16 and Annex 1. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19)

- 7.5 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in Summer 2023. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2024. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2021).
- 7.6 Relevant policies from the published Local Plan Proposed Submission (Regulation 19):

NE5: Biodiversity and Biodiversity Net Gain
NE8: Trees, Hedgerows and Woodlands
NE21: Lighting
NE23: Noise
NE24 Contaminated Land
P1: Design Principles
P2: Local Character and Distinctiveness
P4: Layout and Access
P5: Spaces and Landscaping
P6: Amenity
P8: Materials and Detailing
E2: Employment Development
E4: Horticultural Development
T2: Transport and Development
T3: Active Travel - Walking and Cycling Provision
T4: Parking Provisions

Other Local Policy and Guidance

- 7.7 The following Supplementary Planning Documents are material to the determination of this planning application are:
- Surface Water and Foul Drainage SPD (September 2016)
 - CDC Waste Storage and Collection Guidance (January 2017)
 - West Sussex County Council Guidance on Parking at New Developments (September 2020)
- 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
 - Support local businesses to grow and become engaged with local communities
 - Encourage and support people who live and work in the district
 - 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 of development
- ii) Highways and transport
- iii) Impact on the landscape, character and appearance of the area
- iv) Impact on amenity
- v) Other matters

i) Principle of development

- 8.2 The application site lies within a designated area in the Chichester Local Plan for horticultural development. The Horticultural Development Areas have been designated in order to ensure that the District's horticultural industry remains nationally and internationally competitive. This site is within the Runcton Horticultural Development Area.
- 8.3 The proposal is for two extensions to the existing horticultural packhouse which has for an established horticultural business in the Chichester District area. The packhouse is operated by Barfoots of Botley Ltd who are involved in the cultivation, harvesting, preparation, packaging and distribution of vegetable and salad products. In the supporting documentation the applicant has stated the proposed extensions, removal of existing accommodation block (356sqm) and alterations to the access to the site and circulation arrangements within the site and new parking area are required for the purpose of increasing the sustainability of the business. The applicant states the proposal would address a number of factors including improved product quality and reduction in food waste, improved energy efficiency in order to mitigate the overall carbon footprint of the operation, and the opportunity to automate warehouse processes and systems for production, to reduce reliance on seasonal labour.
- 8.4 The proposed extensions would operate in the same way as the existing packhouse. It is considered that the proposed extensions and intended use meet the requirements in principle for development within the designated HDA and is therefore supported by CLP Policy 32. With regards to the 7 criteria in CLP Policy 32 relevant to horticultural development within the HDA, these are wide ranging in their topic base and are explored further below in relation to Policy 32 and also other relevant policies of the CLP.

ii) Highways and transport

Access and visibility

- 8.5 The application site is accessed from Vinnetrow Road. Vinnetrow Road, which forms a minor arm to the 5-arm Bognor Road roundabout, is a two-way single carriageway road subject to 40mph speed limit. There are two existing access into the application site. The main access is via the northern access which facilitates all vehicle movements into the Leythorne Nursery buildings and other third party commercial buildings. The southern access provides vehicular access to the private dwellings only and is restricted at the boundary of the commercial buildings.

- 8.6 The simple priority junction arrangement would be retained, with an increase in radii of the existing junction to 12m and increase of access road width. Swept path analysis demonstrates that a 16.5m long articulated HGV and a 10m rigid lorry could simultaneously pass at the site access safely. The LHA has confirmed that the desired visibility splays are achievable along both directions of Vinnetrow Road. The LHA raise no objection to the proposals and confirm the modified access is considered fit for the purpose.

Parking and loading/unloading

- 8.7 In terms of existing parking, there are currently approximately 55 spaces on site in two areas, one area of parking to the south of the existing packhouse which is informally laid out (approximately 37 spaces) and a second area of parking adjacent to the eastern boundary which provides 18 spaces (formally laid out). According to the TA this second area of parking (18 spaces) is currently leased out to third party businesses and this is proposed to continue.
- 8.8 The application proposal seeks to relocate the existing area of informal car parking to the south of the packhouse and replace it with a formally laid out car park (50 spaces) in the south east corner of the site. Safe and covered provision for a total of 22 cycle parking spaces will be made and a total of 5 motorcycle parking spaces. These provisions are secured in a recommended condition. The applicant has confirmed that on a typical weekday, there are currently around 130 employees working on the site. It is proposed that the number of staff on site per day will reduce to 100 given the planned automation on site, which will result in a reduction of 30 staff members. WSCC highways has raised no objection to the level of parking provision.
- 8.9 In terms of movement around the site and loading and unloading of the HGVs, the swept path analysis demonstrates it is possible for a 16.5m long articulated HGV to safely manoeuvre within the proposed layout and access each proposed leveller zone dock for loading/unloading.

Trip Generation and Highway Capacity

- 8.10 The applicant has undertaken detailed trip generation, assignment and development impact exercises, taking into account advice from WSCC highways and National Highways. Table 7.12 within the Transport Assessment shows the net trip attraction for the years 2022, 2027, 2033 for non-HGV trips, HGV trips and office trips. The office trips have been eliminated for the years 2027 and 2032 as the redundant office building will be demolished. It is observed that the existing trips are higher than the proposed trips in 2027 and 2032, due to the removal of the office trips. There is an increase of one HGV movement (arrival) in the am peak and one HGV movement (departure) in the pm peak for 2027 and 2032 when compared to the existing situation.

- 8.11 The total survey period demonstrated that total of 100 HGVs were observed entering / leaving the site access (49 arrivals and 51 departures). Given that this access is also use by third party light industrial business units, these HGV movements were not all linked to Leythorne Nursery. The estimated typical weekly HGV movements for Barfoots, as set out in the TA, is around 30 one-way HCV movements on an average weekday. The proposed extension to the packhouse will result in a small increase in HGV movements. The Transport Assessment identifies that this level of movement is proposed to increase to 31 movements when the extended packhouse is first operational and increase to 34 movements 5 years later (worse case).
- 8.12 In terms of non- HGV movements, the Transport Assessment shows the peak hour movements (am and pm) as existing, when the extended packhouse is first operational and 5 years later. This shows no change for the non- HGV movements. This is tributed to increased automation and the effectiveness of the Travel Plan measures, which seek an overall reduction in car use in preference to non-car modes including cycling and public transport. A condition is proposed to ensure a final travel plan is completed and implemented and includes suitable review mechanisms and action plans.
- 8.13 A junction capacity assessment has been carried out. The modelling results show that the proposed access will operate well within capacity and with minimal queuing across the 2027 and 2032 future year scenarios.
- 8.14 National Highways has reviewed the data provided and is satisfied that the proposal will generate minimal additional traffic on the Strategic Road Network (SRN) in peak hours and will not materially affect the safety, reliability and/or operation of the SRN. In response to the consultation response from National Highways, a condition is proposed to restrict the use of the development. This would confirm that the proposed building is an extension to the existing facility and cannot be subdivided or additional floorspace added (i.e. a mezzanine) without a further grant of planning permission.

Sustainability

- 8.15 The Travel Plan submitted with the application details the existing sustainable travel opportunities. The development is accessed by bus using the bus stops located along Lagness Road, approx. 650m (16-minute walk) to the south of site access. These bus stops are served by bus routes 600 and 25. The bus route 600 provides service to Chichester and Bognor Regis and bus route 25 provides service to Chichester, Portsmouth and Pagham. National Cycle Route 2 located around 1.2km west of the site provides direct cycle route to the centre of Chichester. The LHA consider the site as sustainable in transport terms.

Conclusion

- 8.16 This proposed existing horticultural use condition and a bespoke travel plan condition, are considered to be sufficient to ensure that the traffic and transport and activity impacts of the development will not materially exceed the parameters and evidence against which this application has been assessed. Without these conditions, it is considered that the transport impacts of this additional floorspace could result in additional pressure on the highway for which mitigation may be required to avoid a severe impact. Appropriate conditions are, therefore, recommended.
- 8.17 In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and, subject to conditions, there are no transport grounds to resist the proposal.

iii) Impact on the landscape, character and appearance of the area

- 8.18 The Runcton HDA is characterised by large scale horticultural development, including glasshouse, warehouse, packhouse and horticultural distribution buildings. The HDA is flat, with limited natural screening. There are public rights of way which cross through the HDA, some of which are in close proximity to the built form. Otherwise views from outside the HDA are relatively limited and where development is visible, it is generally in the context of the wider HDA, A27 and outer edge of Chichester.
- 8.19 The extensions to the packhouse are proposed to be modern steel framed buildings clad in profiled steel to match the existing packhouse. The existing packhouse is currently two tone comprising a darker blue lower level and a light grey upper section including the roof. The applicant has indicated that the colour scheme could be repeated to match the existing or alternatively a single colour could be used through the new extensions. A condition is recommended to secure the appropriate colour of the extensions, in consultation with the Council's Landscape Officer, to reduce the visual impact of the proposed extensions. It is considered that the proposal complies with criteria 5 (character and appearance) of CLP policy 32.
- 8.20 The erection of the proposed extensions to the packhouse would inevitably have some adverse impact on the setting and character of the Chichester to Yapton Coastal Plain character area in the vicinity of the site. The scale of operations and businesses in the horticultural sector in Chichester District is such, however, that buildings of a substantial size are now both required and justified in horticultural and economic terms.
- 8.21 The proposed extensions to the existing packhouse are set back into the site from Vinnetrow Road and reflect the scale of the existing building. The existing site currently benefits from good levels of screening when viewed from the public highway, with a well established hedge in excess of 3m in height, running along the Vinnetrow Road frontage. Limited views through gaps in the hedge and at the site access would however be possible. From the north, south and east the site would be viewed in the context of the substantial areas of existing glasshouses or packhouses, with limited gaps. The glasshouses also screen the site from the public footpath to the north. The existing reservoir is also largely above ground and provides further screening when viewed from the south. Overall, the Landscape and Visual Impact Assessment (LVIA) shows that the development proposals would only be partially visible or glimpsed in limited local

viewpoints and will generally be screened or partially screened by existing vegetation or existing packhouses or glasshouses.

8.22 The application proposes to retain existing planting where possible and provide additional new native mixed hedgerow and wildflower planting around the proposed car park and the remodelled bunding to the west of the realigned access to the commercial units. This proposed planting would assist in enhancing the character and biodiversity of the site and mitigate the impact on views from the locality. The planting proposal is considered to comply with the requirements of criteria 3 of CLP policy 32. Conditions are recommended to secure the landscaping.

8.23 To conclude on this issue, the proposed extensions would be seen in the context of other large horticultural buildings and the surrounding agricultural/horticultural landscape. Whilst there may be some glimpsed view of the extensions. Although there may be a degree of change in the landscape, this is not considered to be a harmful change in the context of the wider HDA and is balanced against the economic benefits of the proposal and with the HDA allocation in mind. The proposed landscape mitigation is considered to be appropriate to meet the requirements of CLP policy 32.

iv) Impact on amenity

8.24 The proposed extensions are located to the east of the nearest residential dwellings. The nearest boundary of 1 and 2 Leythorne Cottages is located 72.9m from the packhouse extension (extension 1) and the dwelling itself located 79.3m from the extension. Leythorne House is located 77m from the nearest packhouse extension.

8.25 As stated in the application documents, the proposed packhouse extensions would require some plant and machinery, primarily refrigeration plant. This would be similar in terms of noise output to the plant used of the existing operations. The proposed extensions include a new plant enclosure area, which is located on the eastern side packhouse extension 2, away from the closest neighbouring properties. It is proposed that all external plant would be fully acoustically enclosed and all noise emissions from the development would be controlled by condition to require compliance with the existing maximum noise levels.

8.26 The Environmental Protection officer has considered the proposal and is of the opinion that the adverse noise impacts can be avoided with the stipulation and implementation of an adequate Noise Management Plan. A Noise Management Plan has been submitted for consideration during the course of the consideration of the application and following a further set of amendments has been agreed by the Environmental Protection officer. This covers hours of operation, HGV movements, lorry waiting point, forklift movements, state of yard surface etc and goes some way to address the concerns of neighbours and the Parish Council. Following submission of the Noise Management Plan (as amended), no objection is raised by the Environmental Protection officer, subject to conditions.

- 8.27 During construction there is also likely to be some disturbance for neighbours of the site. A condition would be required for the applicant to provide details of a Construction Environmental Management Plan to control noise, dust and construction hours during construction, and to minimise disruption to nearby residents.
- 8.28 Subject to conditions, officers are satisfied that there would be no material harm to the occupiers of neighbouring properties, specifically through noise generated by production.

v) Other matters

Surface water drainage

- 8.29 Surface water drainage for the proposed development comprises three distinct approaches. In the northern area of the site the proposal is no increase in impermeable areas and the continued utilisation of the current surface water drainage network, which ultimately pumps the water into a reservoir for re-use. This approach is acceptable in principle to the drainage officers. In the southern area of the site the proposal is to not increase the impermeable areas by the construction of a "picnic area" and permeable parking, which will offset any additional concrete. This approach is acceptable in principle to the drainage officers. In the western area, the proposed drainage solution involves a "significant net gain" in the impermeable areas and a subsequent need for additional positive drainage. The current proposal is for permeable paving (infiltration to ground) with excess water being pumped into existing reservoirs. The drainage officer has some concerns with the use of pumps because they are not "sustainable" and would expect wherever practical that surface water drains to ground. If pumping of surface water is required for irrigation, then the drainage officer has stated it must be designed so that should it fail, the system will continue to drain without flooding on or off-site. The FRA/Drainage statement says "The existing east to west exceedance flow path on the site towards Pagham Rife will be retained."
- 8.30 Further information is required from the applicant, to be secured via condition, to firstly demonstrate that all reasonable opportunities to use infiltration methods are included. Winter percolation tests at the location and depth of the proposed permeable paving structures will be required for detailed design, and wherever possible these should drain independently to ground, i.e. not have an overflow unless required due to poor infiltration rates. Secondly, capacity in the "reservoirs" will need to be demonstrated at detailed design stage, and details of where surface water would go should the capacity be exceeded. Thirdly, there is correspondence on file from an interested parties regarding additional contributing areas to the existing surface water drainage network, these will need to be accounted for at detailed design stage. Finally, storage within the surface water scheme will need to be provided for the 1 in 100yr event + 40% climate change.
- 8.31 In principle, the Council's Drainage Engineer is satisfied that the site should be able to be adequately drained, in accordance with the Council's Drainage SPD and CLP policy 42, and that the final details can be reasonably secured by condition, which will require additional on-site evidence to inform the final design.

Sustainability

8.32 During the course of the application, a further Energy and Sustainability Statement has been submitted to address the requirements of Policy 40 of the Chichester Local Plan. The statement sets out the passive and active design measures that are proposed to be incorporated into the development. These include good fabric efficiency with proposed U-values that exceed building regulations, good air tightness, high efficiency ammonia refrigerant industrial chillers for cooling and LED lighting. In terms of providing renewable technologies, the applicant also proposed photovoltaic panels on the roof (2400sqm of roof area available), which could generate a potential for 405.6kWp PV system reducing carbon emissions by 13.46kg/CO₂/m²/year. Electric Vehicle charging is required by condition and the scheme also proposes to restrict water use to 105 litres/person/day. This approach is considered to be acceptable with regards to Policy 40.

Ecology and biodiversity

8.33 The application would result in about 0.34ha net reduction in green space. The proposed landscaping scheme would aid in compensating this loss. New areas of native species hedge planting would also help mitigate this loss, as well as help soften and mitigate the landscape and visual impact. To comply with CLP policies 48 and 49, conditions are recommended to protect hedgerows and trees on site boundaries, provide for habitat creation through the native landscaping scheme and control external lighting and any artificial light spill.

Relocation of the substation

8.34 As part of the application, the existing electricity substation would need to be relocated to accommodate the new packhouses. The substation is proposed to be relocated to the area immediately to the east of the southern packhouse extension within the proposed plant area as shown on drawing 010 rev 6. In planning terms, this is considered to be acceptable, however the onus is on the applicant to ensure relevant legislation and regulation is adhered to.

Significant Conditions

8.35 Significant conditions for the construction phase include a construction and environmental management plan, protection of trees and hedgerows and surface water drainage details. Materials are to match the existing building. Full planting and management details would be required, with planting installed within the first planting season after commencement of construction. Before first occupation, all access, parking and turning areas, cycle parking and footways are to be completed, external lighting details need to be approved and a travel plan agreed. Once operational, the building will only be used for the specified horticultural purposes. Noise emissions must not exceed the agreed levels as set out in the Noise Management Plan, to protect the amenities of neighbours. The applicant has been notified of all recommended pre-commencement conditions and agreement to their inclusion has been provided.

Conclusion

8.37 Based on the above assessment and considerations, it is considered the proposal complies with development plan policies, principally CLP policy 32, which is specific to horticultural development. The Transport Assessment, Landscape and Visual Impact Assessment and the updated noise management plan sufficiently demonstrate that the development will not have a severe transport impact, the existing planting, existing glasshouses and packhouses and proposed mitigation planting will effectively soften and filter views of the extended packhouse and the amenities of residents close to the site will not be adversely impacted upon. The application is, therefore, recommended for approval, subject to the conditions detailed below.

Human Rights

8.38 The Human Rights of all affected parties have been taken into account and the recommendation to permit, is considered justified and proportionate.

RECOMMENDATION - PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

2) 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.

3) No development shall commence, including any works of site clearance, demolition or ground-works, until a Construction and Environmental Management Plan (CEMP) comprising a schedule of works and accompanying plans for that Phase has been submitted to and approved in writing by the Local Planning Authority after consultation with the Local Highway Authority, National Highways and the Council's Environmental Protection officer. 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 phased programme of demolition and construction works;
- (b) the anticipated number, frequency and types of vehicles used during construction,
- (c) the location and specification for vehicular access during construction,
- (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 engagement 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 the emission of noise and vibration 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, and
- (p) waste management including prohibiting burning
- (q) full details on of how the habitats and enhancements on-site will be managed during the construction phases.

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

4) No development shall commence unless and 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 systems, as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. Winter groundwater monitoring, to establish the highest annual ground water levels, and Percolation testing to BRE 365, or a similar approved method, will be required to support the design of any infiltration drainage. The information submitted for this condition shall demonstrate how the drainage for the proposed extensions will work effectively with the surface water drainage scheme serving the existing building. No extensions shall be first used until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

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.

5) **No development shall commence** until a scheme to deal with contamination of land and/or controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA). Unless the local planning authority dispenses with any such requirement specifically in writing the scheme shall include the following, a Phase 1 report carried out by a competent person to include a desk study, site walkover, production of a site conceptual model and human health and environmental risk assessment, undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

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

6) If the Phase 1 report submitted pursuant to condition 5 identifies potential contaminant linkages that require further investigation then **no development shall commence** until a Phase 2 intrusive investigation report has been submitted to and approved in writing by the LPA detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

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

7) If the Phase 2 report submitted pursuant to condition 6 identifies that site remediation is required then **no development shall commence** until a Remediation Scheme has been submitted to and approved in writing to the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. Any ongoing monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

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

8) No development shall commence unless and until plans of the site showing details of levels and earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include cross section drawings at an appropriate scale showing the proposed grading and mounding of land areas including the existing and proposed ground levels, showing the relationship of the proposed development including the building and any mounding to existing vegetation and surrounding landform, buildings and access roads. The development thereafter shall be carried out in accordance with the approved details. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings and land.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and vegetation. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

9) a) Prior to the commencement of the development above slab level, details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.

b) Prior to the first occupation of any unit forming part of the proposed development that they will at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting. The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network. Within 1 month of the completion of the fire hydrant installation, confirmation that the fire hydrant is ready for operational use shall be made to the WSCC Fire and Rescue Service's Water and Access Manager.

Reason: In the interests of amenity and in accordance with Chichester Local Plan (2014 - 2029) Key Policies 8 and 9 and in accordance with The Fire & Rescue Service Act 2004.

10) No development shall commence on the SuDS system unless and until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the SuDS System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and ongoing operation for the SUDS system and to ensure best practice in line with guidance set out in the SUDS Manual CIRIA publication ref: C687 Chapter 22.

11) No part of the development hereby permitted shall be first brought into use, until details of any external lighting of the site have been submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles, the timings of any lighting and the mechanism for turning on/off any external lighting). The lighting scheme shall set out how the design of the lighting shall not exceed thresholds from the Institution of Lighting Professional's for Environmental Zone E3, 'Guidance Notes for the Reduction of Obtrusive Light (Guidance Note 01/20)'; and shall 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. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: In the interests of protecting wildlife and residential amenity.

12) Notwithstanding the submitted details, no part of the development hereby permitted shall be brought into use, until the Electric Vehicle Charging (EVC) facility, including specification, management and maintenance details to serve the active spaces have been provided in accordance with a detailed scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the EVC facility and spaces shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To accord with current parking standards and the sustainable development objectives of Policy 40 of the Chichester Local Plan: Key Policies 2014-2029.

13) The development hereby permitted shall not be first occupied until a verification report for the approved contaminated land remediation has been submitted in writing to the Local Planning Authority. The report should be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

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

14) No part of the development hereby permitted shall be first occupied until vehicle parking spaces have been provided in accordance with plans and details that shall first have been submitted to and approved by the Local Planning Authority. Thereafter the vehicle parking spaces shall be retained for that purpose in perpetuity.

Reason: To provide adequate on-site car parking space for the development.

15) **No part of the development hereby permitted shall be first occupied** 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 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.

16) The development hereby permitted shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and the maintenance and watering schedules. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

17) The development hereby permitted shall be carried out in strict accordance with the Noise Management Plan produced by Apple Environmental, January 2023 (held on file 15.02.23) unless otherwise agreed in writing by the Local Planning Authority. In particular all structural mitigation listed in Table 2 of the Noise Management Plan must be maintained for the duration of the development. The Noise Management Plan is a dynamic set of measures and shall be subject to review in accordance with any development of the business and any changes in practice. The Noise Management Plan's procedural actions shall be reviewed annually. The Noise Management Plan shall also be subject to review at the request of the Local Planning Authority as a result of validated complaint. A review of the Noise Management Plan, at the request of the Local Planning Authority, shall require active sound level monitoring and a reporting of the results within 60 days.

Reason: To prevent noise giving rise to significant adverse impacts on health and quality of life as a result of the new development.

18) The development hereby permitted shall be carried out in strict accordance with the recommendations of:

- Ecological Assessment produced by GPM Ecology (27 September 2021)
- Construction & Ecological Maintenance Plan (CEMP), and
- Landscape & Ecological Maintenance Plan (LEMP) produced by GPM Ecology (31.01.23)

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of ecology and biodiversity.

19) The construction of the development and associated works shall not take place on Sundays, Public or Bank Holidays or any time otherwise than between the hours of 0800 hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays unless otherwise agreed in writing by the Local Planning Authority. Use of the Strategic Road Network shall be avoided during the peak hours of 08:00-09:00 and 17:00-18:00.

Reason: In the interests of residential amenity.

20) 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 (within 24 hours of any work).

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.

21) Any brush pile, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.

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.

22) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or in any other statutory instrument amending, revoking and re-enacting the Order, the building hereby permitted shall only be used for a packhouse and for no other purpose (including any other purpose in the permitted Use Class under the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the protection of the countryside.

23) Notwithstanding any indication shown on the approved plans and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no external plant associated with the development shall be installed other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Any new plant shall be assessed in accordance with BS4142:2014+A1:2019 "Methods for Rating and Assessing Industrial and Commercial Sound".

Reason: To prevent noise giving rise to significant adverse impacts on health and quality of life as a result of the new development.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - SITE LOCATION PLAN	2003 001	REV 03	25.10.2022	Approved
PLAN - PROPOSED BLOCK PLAN	2033 010	REV 06	25.10.2022	Approved
PLAN - PROPOSED PACKHOUSE GROUND FLOOR PLAN	2033 011	REV 04	25.10.2022	Approved
PLAN - PROPOSED PACKHOUSE ELEVATIONS / SECTIONS	2033 013	REV 04	25.10.2022	Approved

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, sussex.surrey@english-nature.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

3) The applicant should have regard to the Control of Asbestos Regulations 2012 and be aware that it may be necessary to notify, or obtain a licence from, the relevant enforcing authority. Further information is available online at <http://www.hse.gov.uk/asbestos/detail.htm>.

4) The applicant is required to obtain all appropriate consents from 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.

5) Reference shall be made to BS5228-1:2009+A1 (2014) Code of Practice for Noise and Vibration Control on Construction and Open Sites - Part 1: Noise and Part 2: Vibration; Institute of Air Quality Management (Feb 2014) Guidance on the Assessment of Dust from Demolition and Construction and Institution of Lighting Professionals (Guidance Note 01/20) Guidance Note for the Reduction of Obtrusive Light.

For further information on this application please contact Alicia Snook on 01243 534734.

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RKAXUOERMx200>