

DECISION NOTICE

Application Ref: F/19/21/PL

1 To Addressee

Miss Katharine Morgan
St Pauls House
23 Park Square South
Leeds
LS12ND

2 Site Address

H M Ford Open Prison
Ford Road
Ford
BN18 0BX

3 Description of Development

The construction of two houseblocks (two storeys) for 120 prisoners, extension to existing car park (80 spaces), proposed storage facilities & ancillary office space within secure perimeter fence at HMP Ford Category D Prison. This application may affect the setting of a listed building & the site is in CIL Zone 2 (Zero Rated) as other development.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the following conditions and Section 106 Agreement.

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Site location plan 622608-5315-RPS-000-00-DR-A-1000 P05

Site layout plan 622608-5315-RPS-000-00-DR-A-1001 P05

Existing Block Plan Sheet 1 622608-5315-RPS-000-00-DR-A-1002 P04

Existing Block Plan Sheet 2 622608-5315-RPS-000-00-DR-A-1004 P04

Proposed Block Plan Sheet 1 622608-5315-RPS-000-00-DR-A-1003 P04

Proposed Block Plan Sheet 2 622608-5315-RPS-000-00-DR-A-1005 P04

Kitchen dry store plans and elevations 622608-5315-RPS-097-ZZ-DR-A-1070 P03

Personal Property Store Plans Elevations and Section 622608-5315-RPS-098-ZZ-DR-A-1060

P03

Accommodation Block 1 Proposed Floor Plans 622608-5315-RPS-100-ZZ-DR-A-1080 P06
Accommodation Block 2 Proposed Floor Plans 622608-5315-RPS-101-ZZ-DR-A-1090 P06
OMU office proposed floor plans 622608-5315-RPS-099-ZZ-DR-A-1050 P04
OMU office Proposed Elevations 622608-5315-RPS-099-XX-DR-A-1052 P04
Accommodation Block 1 Elevations 622608-5315-RPS-100-XX-DR-A-1083 P08
Accommodation Block 2 Elevations 622608-5315-RPS-101-XX-DR-A-1093 P08
OMU Office Proposed Sections 622608-5315-RPS-099-XX-DR-A-1051 P04
Accommodation Block 1 Proposed Sections 622608-5315-RPS-100-XX-DR-A-1082 P06
Accommodation Block 2 Proposed Sections 622608-5315-RPS-101-XX-DR-A-1092 P06
Accommodation Block Typical Sections 622608-5315-RPS-000-XX-DR-A-1030 P02
Accommodation block 1 roof plan 622608-5315-RPS-100-ZZ-DR-A-1081 P07
Accommodation block 2 roof plan 622608-5315-RPS-101-ZZ-DR-A-1091 P06
Detailed Soft Landscape proposals Sheet 1 622608-5315-RPS-000-00-DR-L-9001 P01
Detailed Soft Landscape proposals Sheet 2 622608-5315-RPS-000-00-DR-L-9002 P01
Detailed Soft Landscape proposals Sheet 3 622608-5315-RPS-000-00-DR-L-9003 P01
Parking Plan/access (labelled as Landscaping Plan OMU Office and Car Park) 622608-5315-RPS-000-00-DR-A-1021 P02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan.

- 4 The development shall proceed in accordance with the Arboricultural Impact Assessment 11148_AIA.001 Rev C dated February 2022 including the Arboricultural Method Statement.

Tree protection barriers shall be erected prior to the commencement of any works in accordance with the Tree Protection Plan and shall consist of the barrier specification illustrated within the Tree Protection Plan at Appendix C.

Reason: To ensure protection of trees in accordance with policy ENV DM4 of Arun Local Plan.

- 5 Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A Site Investigation Scheme, based on the Atkins Site Investigation risk assessment report to

provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2. Based on the Site Investigation Scheme and the detailed risk assessment, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Prior to commencement of any construction work (excluding groundworks), (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 6 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained and in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

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

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-

commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 8 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 9 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of Arun Local Plan.

- 10 The development shall proceed in accordance with the sustainable measures as set out in the accompanying Energy Statement (September 2021) submitted with the application.

Reason: To ensure energy and climate change mitigation in accordance with policy ECC SP2 of Arun Neighbourhood Plan.

- 11 No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

- 12 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 13 The development shall proceed in accordance with the report entitled 'Proposed Category D accommodation Blocks at HMP Ford: Site Noise Assessment: Revision C' (dated 13th September 2021), to include that mechanical services / plant noise is to be restricted so as not to exceed the indoor ambient noise levels detailed in section 10.5 of the report. Noise level from plant is also not to exceed background noise levels when measured 1 metre from the facade of the nearest dwellings, as per section 10.17 of the Apex Acoustics report.

Reason: To protect the amenity of future residents in accordance with policies QE DM1 and D DM1 of Arun Local Plan.

- 14 The development shall proceed in accordance with the submitted Travel Plan ref 622608-5315-

Reason: To encourage and promote sustainable transport in accordance with policy T SP1 of Arun Local Plan.

- 15 Within 3 months of the commencement of development a Management Plan for the creation and management of the proposed onsite habitats shall be submitted to the Local Planning Authority for approval in writing. The Management Plan shall detail the following:
- An adaptive management plan for the site detailing the management measures to be carried out over the phased restoration of the site in order to achieve the target conditions proposed for each habitat parcel at the proposed development.
 - Objectives relating to the timescales in which it is expected progress towards meeting target habitat conditions will be achieved.
 - A commitment to adaptive management that allows a review of the management plan to be undertaken and changes implemented if agreed in writing by the LPA and if monitoring shows that progress towards target conditions is not progressing as set out in the agreed objectives.
 - That monitoring reports shall be provided to the LPA on the 1st November of each year of monitoring (Years 1, 2, 3, 5, 10, 15, 20, 25 and 30) immediately following habitat creation.
 - Data will be provided in an agreed standard format to allow for collation into a district-wide biodiversity network database.
 - Once approved in writing the management measures and monitoring plans shall be carried out as agreed.
- 16 The development shall be carried out in compliance with the submitted Construction Phase Health and Safety Environmental Plan Document Number: 622608-5315-CML-000-XX-HS-W-0001 Re. P03.

To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 17 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.
- If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

- 18 No development shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6.

- 19 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated September 2021, reference PROJECT

NO. JAG/AD/JF/45663-Rp001.P04 622608-5315-AWP-000-XX-RPC-1001-00 by Alan Wood and Partners and the following mitigation measures detailed within the FRA:

Finished floor levels of the Healthcare extension are set no lower than 300mm above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policies W SP1 and W DM2 of the Arun Local Plan.

- 20 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.

INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to monitoring/auditing fees payable to WSCC in respect of the Travel Plan and compliance with the Travel Plan.

Neil Crowther



Group Head of Planning

Case Officer: Mrs A Gardner

Decision Issued: **24th May 2022**

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on

highway land).