

Recommendation Report for Application for Approval of Details To Satisfy An Obligation

REF NO: F/32/26/AOO

LOCATION: Land at Ford Airfield
Ford

PROPOSAL: Application to approve details required under the Section 106 dated 13.07.23 (as amended) linked to F/4/20/OUT in relation to Clauses 1.2 and 2.2 of the Fifth Schedule (Open Space Scheme and Play Areas Scheme) for Phases IRM, RM1 and RM4.

SITE AND SURROUNDINGS

DETAILS OF DECISION

The Council has considered the details you have submitted in order to satisfy obligations 1.2 and 2.2 of the Fifth Schedule for Phases IRM, RM1 and RM4 contained in the Section 106 agreement dated 13/07/2023 in relation to planning application F/4/20/OUT (as amended by F/3/25/NMA and F/22/25/NMA).

Schedule 5 Paragraph 1.2 requires that development must not commence for any Open Space in any reserved matters area until an Open Space Scheme has been submitted to and approved in writing by the District Council'.

The s106 agreement defines 'Open Space' as areas of open space and amenity space within the development but expressly excludes play areas from that definition. The agreement requires an 'Open Space Scheme' to include a timetable and programme for the delivery of open space linked to dwelling occupation triggers. There must also be a maintenance and management plan setting out how and by whom the open space will be managed and how public access may be restricted for maintenance, management or health and safety.

Schedule 5 Paragraph 2.2 requires that development must not commence for any Play Area in any reserved matters area until a Play Areas Scheme has been submitted to and approved in writing by the District Council.

Play Areas are defined in the s106 as LEAPs, LAPs, NEAPs or MUGAs.

The submitted Strategic Maintenance & Management Plan (SMMP) combines details of the delivery, management and maintenance of the open spaces and play areas in phases IRM, RM1 and RM4 of the scheme; as required in the Open Space Scheme and Play Areas Scheme.

The SMMP confirms that the open spaces and play areas will be transferred to a site-wide Management Company, which will be responsible for their ongoing maintenance and management. The document also sets out a delivery timetable, programme and trigger points, together with a general maintenance schedule and details of the circumstances in which the open spaces and play areas may be temporarily closed to the public. These arrangements are consistent with the approved phasing programme for IRM, RM1 and RM4 (Ref: F/36/24/DOC) and are therefore considered acceptable.

In respect of the design of the play areas, these details do not form part of the submission. The design and specification of the play areas are secured separately through Condition 2 of planning permission F/14/24/RES (Phase IRM) and Condition 6 of planning permission F/16/24/RES (Phase RM4). No play areas are proposed within Phase RM1, as all play provision associated with these phases is located within Phase IRM.

Accordingly, based on the above assessment, the following details satisfy paragraphs 1.2 and 2.2 of Schedule 5 of the s106 agreement of F/4/20/OUT:

Covering Letter (Dated 26/05/2026)
TOR-XX-XX-DR-A-L(--C5001 Rev B (Dated 10/2023)
Strategic Maintenance and Management Plan (Dated May 2026)

REASON FOR DECISION

The information has been reviewed by Simon Brooksbank (Principal Planning Officer of Arun District Council) and meets the requirements of Schedule 5 Paragraph 1.2 and 2.2 requiring submission and approval of an Open Space Scheme and Play Areas Scheme for Phases IRM, RM1 and RM4. The details submitted are in compliance with the information previously approved in respect of F/4/20/OUT (and subsequent applications). To fully comply with the obligation(s) the development must be completed in accordance with the above details. If subsequent changes are required, amended details will need to be submitted and approved again before provision. Please note this letter does not constitute a formal legal deed of discharge under Section 106A of the Town and Country Planning Act 1990 however the obligation status has been noted in the Planning Obligation Monitoring Records for any future enquiries.

RELEVANT SITE HISTORY

F/14/24/RES	Approval of reserved matters (layout, scale, appearance and landscaping) following outline consent F/4/20/OUT for the infrastructure reserved matters including the	ApproveConditionally 11-02-26
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provision of a primary spine road and associated secondary road junctions, pavement, footpaths, cycle infrastructure and bus stops; site wide drainage infrastructure including foul pumping stations, foul sewer infrastructure, SUDS basins, SUDS swales, surface water infrastructure; acoustic fencing; public open space including landscape details, play areas, footpaths & associated works. This application affects a Public Right of Way, may affect the setting of a Listed Building and falls within CIL Zone 1 (Ford strategic site - zero rated).

F/15/24/RES	Approval of reserved matters (layout, scale, appearance and landscaping) following outline permission F/4/20/OUT for phase RM1 (North), for the erection of 341 No. residential dwellings plus associated roads, infrastructure, parking, landscaping and associated works. This application affects a Public Right of Way, may affect the setting of a Listed Building and falls within CIL Zone 1 (Ford strategic site - zero rated).	ApproveConditionally 11-02-26
F/16/24/RES	Approval of reserved matters following outline permission F/4/20/OUT for phase reserved matters 4 (south), for the erection of 357 No. residential dwellings plus associated roads, infrastructure, parking, landscaping, open space & play areas and associated works. This application affects a Public Right of Way, may affect the setting of a Listed Building and falls within CIL Zone 1 (Ford strategic site - zero rated).	ApproveConditionally 11-02-26
F/36/24/DOC	Approval of details reserved by condition imposed under reference F/4/20/OUT relating to condition number 5 - Phasing.	DOC Approved 17-12-24
F/22/25/NMA	Non-material amendment following the grant of F/4/20/OUT relating to the rewording of condition 17 (to allow the ecological protection and enhancement plan to be delivered in 2 parts, and to amend the trigger related to the submission and approval of the Bewick Swan mitigation from prior to commencement to prior to above slab level.	Approve 13-10-25
F/3/25/NMA	Non-material amendment following the grant of F/4/20/OUT relating to the rewording of condition 13 (contamination verification).	Approve 12-02-25

F/4/20/OUT	Outline planning application (with all matters reserved except for access) for the development of up to 1,500 dwellings (Use Class C3), 60-bed care home (Use Class C2), up to 9,000 sqm of employment floorspace (Use Classes B1), local centre of up to 2,350 sqm including up to 900 sqm retail / commercial (Use Classes A1-A5) and 1,450 sqm community / leisure floorspace (Use Classes D1-D2), land for a two-form entry primary school (Use Class D1), public open space, allotments, new sports pitches and associated facilities, drainage, parking and associated access, infrastructure, landscape, ancillary and site preparation works, including demolition of existing buildings and part removal of existing runway hardstanding. This application affects a Public Right of Way. This application is the subject of an Environmental Statement. This application may affect the setting of a Listed Building. This application falls within CIL Zone 1 - Zero Rated.	App Cond with S106 30-05-23
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CONSULTATIONS

DEVELOPMENT PLAN POLICIES

RECOMMENDATION

APPROVE