

## DECISION NOTICE

Application Ref: F/5/20/PL

**1 To Addressee**

Henry Adams  
Rowan House  
Baffins Lane  
Chichester  
PO19 1UA

**2 Site Address**

Ford Airfield Market  
Ford  
BN18 0FL

**3 Description of Development**

Reconfiguration of Ford Market, including revised market access, hardstanding for replacement vehicular parking and associated infrastructure, landscape, ancillary and site preparation works.

**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 the following conditions.

- 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:

- Market Site Boundary Plan - 23885 - RG-M-108G
- Proposed Site Plan - 23885 - RG-M-118F
- Market Operation Diagram - 23885 - RG-M-116E
- Tree Protection Plan - 18189-BT6
- Ford Market and Car Boot Parking Access Arrangements - ITB13091-GA-036 Rev E

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.
- details of measures to protect the soil resource of the overflow car park.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition in order to ensure that measures are in place to mitigate the impacts of construction prior to development taking place.

- 4 No development shall take place before a scheme has been submitted to and approved in writing by the Local Planning Authority, which specifies the provision to be made for the control of noise emanating from the site. Thereafter, the use of the proposed development shall not commence until the approved scheme has been fully implemented.

Reason: To protect the amenity of local residents in accordance with policy QE DM1 of the Adopted Arun Local Plan 2011 - 2031. It is considered necessary for this to be a pre-commencement condition to ensure that the development does not adversely impact upon the amenity of nearby uses and property during construction.

- 5 The development hereby approved shall not be commenced 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 completion of the development, 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. It is considered necessary for this to be a pre-commencement condition to ensure that the tree intended for retention on the site are adequately protected during development.

- 6 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. It is considered necessary for this to be a pre-commencement condition to ensure that archaeological interest features are adequately identified and recorded prior to the commencement of development.

- 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 part of the overflow carpark shall be brought into use until the complete surface water drainage system serving that part of the site is in use and 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 Immediately following implementation of the approved surface water drainage system and prior to the overflow car park being brought into use, 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 in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 9 Prior to the overflow carpark and new footway being brought into use the mitigation and enhancements as proposed within section 5 of the Ecological Impact Assessment Report (2019) as provided by ECOSA, shall be implemented in its entirety including:

- New tree planting of 0.14 hectares and 0.36 hectares of shrub planting to comprise a diverse mix of native species;
- No works to the on-site buildings and no external lighting;
- Precautionary clearance of grassland to minimise impacts on reptiles;
- Hibernation features for reptiles within new planting; and
- Off-site compensatory habitat for reptiles.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV SP1 and ENV DM5 of the Arun Local Plan.

- 10 Prior to the commencement of the development hereby permitted an updated reptile survey and mitigation strategy, including the site for the off-site compensatory habitat for reptiles shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The Ecological Impact Assessment (2019) submitted in support of the application identifies that "the mobility of animals means that updated surveys will be required, particularly where development does not commence within 12 months of the survey". Therefore, given the reptile survey submitted in support of the application was undertaken in Summer 2018 this needs to be reviewed. It is considered necessary for this to be a pre-commencement condition to ensure that appropriate compensatory habitats and mitigation is provided to offset the developments impact.

- 11 Prior to the overflow carpark hereby permitted being brought into use the safety measures identified on drawing 'Ford Market and Car Boot Parking Access Arrangements - ITB13091-GA-

036 Rev E' shall be implemented in full.

Reason: In the interests of pedestrian safety in accordance with policy T SP1 of the Arun Local Plan.

- 12 The market shall be in operation only on Thursdays, Saturdays and Sundays and on no other days of the week. The market shall be in operate for the following sales on each day:

Thursday - Car boot sale only.

Saturday - Car boot sale and farmers' market only.

Sunday - Car boot sale and market only.

Reason: In the interests of amenity and highway safety in accordance with policies D DM1 and T SP1 of the Arun Local Plan.

- 13 No vehicular traffic will access the market prior to 4am and there will be no access to the market trading area prior to 6.30am. Trading will be restricted to the following times:

Thursday - 7.30am and 3.00pm.

Saturday - 7.30am and 3.00pm.

Sunday - 8.30am and 3.00pm.

All vehicles must be removed from the site by no later than 4.30pm on Thursday, Saturday and Sunday.

Reason: In the interests of residential amenity and highway safety in accordance with policies D DM1, QE SP1 and T SP1 of the Arun Local Plan.

- 14 The total number of stalls at the site shall not exceed 200 and no more than 250 cars present within the trading market enclosure at any one time.

Reason: In the interests of amenity in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 15 No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. This submission shall include a layout plan with beam orientation and a schedule of proposed light equipment (luminaire type, mounting height, aiming angles and luminaire profiles). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep/bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution.

- 16 Prior to commencement of the development, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved development shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working conditions.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on 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). It is considered necessary for this to be a pre-commencement condition to ensure that infrastructure is installed

prior to the commencement of the use hereby permitted.

- 17 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 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 SP1 of the Adopted Local Plan 2011 - 2031.

- 18 No sounds reproduction or amplification equipment (including Public Address (PA) systems, tannoy or loudspeakers, etc.) which is audible outside the site boundary shall be installed or operated on the site.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 -2031.

- 19 Prior to the closure of the western access from Yapton Road details of the pedestrian and emergency access to the site shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be fully implemented within 2 months of the closure of the western access.

Reason: In the interest of highway safety in accordance with policy T SP1 and the National Planning Policy Framework (NPPF).

- 20 The total number of parking spaces on site shall not exceed 2,000. The eastern arm of the runway and associated parking spaces as well as the overflow car park shall be used solely for the parking of vehicles and for no other purpose associated with the operation of the market.

Reason: In the interests of highway safety in accordance with policy T SP1 and the National Planning Policy Framework (NPPF).

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: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc ) Regulations (as

amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

INFORMATIVE: The applicant is advised that the erection of temporary signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.



Neil Crowther  
Group Head of Planning

Case Officer: Mr D Easton

Decision Issued: **4th 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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details can be found at [www.GOV.uk](http://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).