

Report following a request for further information, negotiations or consultation

REF NO:	F/5/20/PL
LOCATION:	Ford Airfield Market Ford
PROPOSAL:	Reconfiguration of Ford Market, including revised market access, hardstanding for replacement vehicular parking and associated infrastructure, landscape, ancillary and site preparation works.

The application was originally considered by Member's on the 8th September 2021 and was deferred to allow for "further evidence gathering to be undertaken on the transport and highway implications over a wider area than that which had already been studied."

In response to this deferral the applicant commissioned their consultants to prepare a Technical Note (ITB13091) in response to the deferral of the application. The Technical Note presents the outputs of further traffic data collection obtained by independent 3rd party traffic data collection specialists as well as providing further commentary regarding highway matters.

The response from the applicant begins by highlighting that the planning application does not seek approval for anything (in terms of the developments impact upon the operation of the highways network) that cannot already occur under the conditions of the existing planning consents. With there being no planning requirement or condition, which prevents the operation of the market via a single point of access.

Traffic distribution was assessed, and this was carried out on a Thursday (car boot) and Sunday (car boot and market). The assessment assumed that the site was operating at full capacity, although full capacity operation only occurs occasionally throughout the year. Saturday was excluded from the assessment since the network flows were higher on Thursday during periods where operational movements were most intensive (morning peaks periods).

The transport assessment identified that a limited number of vehicles approached the site from a direction where Horsemere Green Lane would be the shortest or quickest alternative route, assuming free flowing network conditions. 80-85% of all journeys approaching the market are from the A27 or the A259 directly. The transport assessment identifies that 12% of the remaining trips are from the Barnham direction and it is identified that accessing the Ford Road access from this direction is quickest via Ford Lane.

However, given the concerns raised by Members of the Planning Committee on the 8th September, a new traffic survey was commissioned for Horsemere Green Lane through an independent data collection specialist, which took place between the 28th September and the 8th October 2021 (on all days). During this survey period, Ford Market continued to operate via a single point of access from Ford Road only. Additional data was also obtained from the WSCC Traffic Survey Database for a survey undertaken in September 2017 (Monday-Sunday). During the 2017 survey Ford Market was operational and using both points of access.

The daily traffic flows have been assessed as a percentage of the weekday and weekend average which has demonstrated that there is an imperceptible difference in the daily traffic between the two datasets. Therefore, on the basis of the evidence available it is apparent that the closure of the Yapton Road access to Ford Market does not result in an unacceptable impact on highway safety, nor would the

residual cumulative impacts on Horsemere Green Lane be deemed as severe as identified under paragraph 111 of the National Planning Policy Framework (NPPF).

It has also been identified through the Technical Note that the A259 enhancements which the strategic sites are contributing towards will result in the improvement of journey times on the A259. As such, the A259 would become more viable in comparison to cutting through Horsemere Green Lane to avoid queuing on the A259.

The impacts of the planned developments, including the strategic allocation at Ford, have been tested through the Arun Transport Study (ATS) which was prepared in support of the Local Plan. The ATS did not identify that the future development would have an impact upon Horsemere Green Lane that would require intervention nor were any severe cumulative impacts identified.

The Transport Assessment associated with this application has considered the impact of traffic upon the operation of the highways network and the scope and methodologies adopted in the preparation of this assessment were agreed and undertaken in accordance with WSCC requirements. WSCC requested that additional sensitivity testing on the operating capacity of Horsemere Green Lane was undertaken, and scenarios were used which assumed traffic well beyond that which was predicted by the forecasts to ensure that the assessment was adequately robust.

The existing Transport Assessment has identified that the cumulative impacts of the proposed developments are not contrary to the NPPF and these conclusions are supported by WSCC who have agreed that the proposed development alone and in combination with other development does not require mitigation of either the Horsemere Green Lane/Church Lane or Horsemere Green Lane/Yapton Road junctions.

Climping Parish Council have undertaken consultation with local residents of Horsemere Green Lane and prepared a consultation summary note which sets out various future design options for Horsemere Green Lane. However, based upon all of the evidence available it is apparent that the matters identified by Clymping Parish Council are pre-existing operating conditions which are not a consequence of this application or other development at Ford. Therefore, mitigation of the junctions on Horsemere Green Lane as identified by Clymping Parish Council are not necessary to make this development acceptable in planning terms and would fail to satisfy the tests identified within Section 122 of The Community Infrastructure Levy Regulations 2010 (as amended).

Therefore, as originally identified the proposed reconfiguration of the market would accord with the aims and objectives of policy T SP1 and would not result in an unacceptable impact upon highway safety or a severe cumulative impact upon the operation of the road network in accordance with paragraph 111 of the National Planning Policy Framework (NPPF).

REPORT UPDATE

Application No: F/5/20/PL

Reason for the Update / Changes

Reason for Update/Changes:

1) Consultation response received from Ecology after the agenda was finalised and is summarised as follows:

"Should permission be granted, it should be conditioned that the mitigation and enhancements as proposed within section 5 of the Ecological Impact Assessment Report (2019) as provided by ECOSA, should 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;
- Off-site compensatory habitat for reptiles.

As stated within the report, "the mobility of animals means that updated surveys will be required, particularly where development does not commence within 12 months of the survey". Since the latest reptile survey was undertaken in summer 2018, an updated reptile survey and mitigation, including the site for the off-site compensatory habitat for reptiles, will need to be provided."

In line with the above consultation response Condition 9 has been amended to no longer be pre-commencement and requires development to be carried out in accordance with mitigation and enhancements identified in Section 5 of the Ecological Impact Assessment Report (2019).

In addition to the variation to Condition 9 a new condition has been added as Condition 10 which requires the developer to submit a reptile survey and mitigation strategy for approval by the LPA prior to the commencement of development. This is to address that the reptile survey was carried out in Summer 2018 and as such should be updated prior to the commencement of development.

2) Condition 19 (now Condition 20) incorrectly referenced the western arm of the runway, this has been amended to eastern arm as was originally intended.

3) The officer's recommendation report in regards to archaeology concludes that subject to the use of a suitably worded condition the development would accord with policy HER DM6. However, policy HER DM6 requires that where a site on which development is proposed has the potential to include heritage assets with archaeological interest, the application must be accompanied by a desk based archaeological assessment.

In this case the application was not accompanied by a desk based archaeological assessment and as such cannot be deemed to accord with the requirements of HER DM6. However, as identified within the original officer's report the proposal has been considered by the Council's archaeologist who has confirmed that the use of a suitably worded condition would ensure that any features of archaeological interest were identified and recorded. Therefore, whilst the proposal would not accord with policy HER

DM6(a) the proposed condition ensures that the development will not have an unacceptable impact upon any archaeological features present at the site.

Officers Comment:

No additional comments in regards to the above matters.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

PLANNING APPLICATION REPORT

REF NO: F/5/20/PL

LOCATION: Ford Airfield Market
Ford
BN18 0FL

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

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Planning permission is sought for the reconfiguration and regularisation of the operation of the Ford Market. The existing market has been in operation for approximately 20 years from the site and is currently accessed from Ford Road to the east and Yapton Road to the west. The market currently operates from the former runway with the eastern and western arms used for car parking and the northern and southern arms used as the market trading area.

The application has been made in order to enable it to continue to operate following the allocation of the wider airfield site under policy SA1 of the Ford Neighbourhood Plan and SD8 of H SP2c of the Arun District Local Plan for a development of up to 1,500 dwellings.

The proposed reconfiguration will consist of the removal of the western arm of the runway (excluded from the application site boundary), continued use of the eastern arm of the runway for visitor parking with a new pedestrian footpath along the southern edge of the eastern runway. A new overflow car park is proposed to the north of the vehicular access from Ford Road with a new pedestrian access proposed from the west

where the new residential development would be located. It is proposed for the northern and southern runways to remain in their current form but to be available for flexible use as either market or additional parking provision.

SITE AREA	7.12 hectares
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	The runways are bounded by a mixture of mature hedgerow and tree planting.
SITE CHARACTERISTICS	The application site consists of the eastern and southern arms of the former runway and a portion of the northern runway, as well as land to the north of the existing vehicular access from Ford Road. Currently a car boot, farmers' market and market operate on Thursdays, Saturdays and Sundays from the site. Some of the site remains in agricultural use.
CHARACTER OF LOCALITY	<p>A soft play (Flying Fortress) and Arun Sports Arena are situated to the north of the application site on the remainder of the northern arm of the runway. Land immediately surrounding the application site is allocated for residential development under policy SA1 of the Ford Neighbourhood Plan and SD8 of H SP2c of the Arun District Local Plan for a development of up to 1,500 dwellings.</p> <p>The airfield also accommodates a range of waste uses, including the waste water treatment works operated by Southern Water, a recycling facility and a waste management facility operated by Grundon and Viridor. Two industrial estates are also located within the wider airfield with Rudford Industrial Estate to the south and Ford Industrial Estate to the north-west.</p> <p>Neighbouring uses include HMP Ford to the east of the application site, anaerobic digestion plant and lagoon to the north and concrete batching plant to the west.</p>

RELEVANT SITE HISTORY

F/15/88	Continuance of use with amendments to Conditions 3 & 4 of planning consent F/7/86; to allow 4 fruit & vegetable stalls onto the site at 7.30 a.m. on Sundays and increasing the number of portacabins to 3 & removing them from the site by 8 a.m. each Monday.	Refused 30-08-88
F/14/95	Renewal of temp.permission F/1/94 for continuance of use without Conds. 3 & 4 imposed on F/40/92 and the imposition of a new Cond.3 "No stall-holder vehicles shall enter the site prior to 07.30hrs and the erection of stalls shall be completed by 09.30hrs. All stalls shall be	ApproveConditionally 23-08-95

dismantled and removed from the site by 16.30hrs on the same day".

F/10/07/	Use of market site for Thursday car boot sales	App Cond with S106 17-10-07
F/12/10/	Variation of Condition No 1 imposed on planning permission F/35/99 to permit the operation of a Farmers Market. Substitution of Condition No 10 to read "No vehicles shall enter the site before 7.30 hours and all vehicles shall be removed from the site by 16:30 hours on the same day".	App Cond with S106 23-04-12
F/12/18/WS	New access road - This application is a County Matter Waste Application & will be determined by West Sussex County Council (EIA)	No Objection 23-07-18
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.	

No comments.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ford Parish Council

Objection

Comments received 25 May 2020

The Ford Neighbourhood Development Plan (NDP) seeks to ensure that a co-ordinated approach for the whole site is pursued. We now have a Market application, airfield application, information that a 10 form school site will be imposed and have now been informed that a new application by Grundon and Viridor for a large incinerator site will be submitted in June. It is the view that all these should be considered together to ensure the people of Ford do not have large scale businesses imposing a worsening of their environmental living conditions. Its time for both WSCC and Arun District Council to enforce applicants to follow a joint and co-ordinated approach.

The Ford NDP sets out a vision for the village, some of these have been met in 'The Landings' application but many are now shown on the general site plan. More details are needed together with all the other applications.

CLYMPING PARISH COUNCIL - Objection

Comments received 3rd April 2020

- The application is contrary to Clymping Neighbourhood Plan policy CPN14 (Traffic and the Environment)
- The market is a major traffic generating activity as the Transport Study point out. The market is only suitable for car users. All traffic is proposed to enter from Ford Road only.
- Modelling shows that the resulting impact on Horsemere Green Lane will be severe with over 500 movements during peak periods (Sundays). On Church Lane on Thursdays and Saturdays the additional traffic will mix with the HGV movements already approved for the proposed Incineration at Ford Airfield.
- No highway mitigation is proposed including at the Hunter Junction with Ford Road. With the possibility of thousand of cars visiting the market together with industrial traffic on Thursdays and Saturdays this will inevitably lead to queuing and hold ups on Ford road to the detriment of Clymping residents.
- This application is not consistent with proposals included in F/4/20/OUT for a sustainable route for pedestrians and cyclists along Horsemere Green Lane, across Church Lane linking with the new route along the A259.

Comments received 18th March 2021

- The Parish Council's previous objection still stands. Additionally, there should be an archaeological survey of the entire site given the recent findings on land to the south of the airfield.

20 No. letters of objections were received in relation to the proposed development. A summary of the key points raised in these letters has been provided below but the full responses can be found on the Arun District Council website.

- Given that that we are all in lockdown now and given that all essential business activities have been superseded, it is wholly inappropriate to proceed with this planning application at this time. We have neither the time, ability nor resources to give this matter the consideration it deserves. To continue with all but essential planning is undemocratic.
- Clymping already takes a huge increase in traffic from HGVs from various waste sites, all the delivery lorries and vehicles associated with the same and the current application for 1500 houses.
- Horsemere Green Lane is an unclassified road and is not designed for heavy traffic or volumes of traffic. The application negatively impacts on Horsemere Green Lane.
- Closure of the Yapton Road access will increase traffic on Horsemere Green Road and adversely impact upon the junction with Church Lane.
- It defies belief that the application does not include any mitigation for local roads affected by the proposed development.

GRUNDON - Objection

A letter of objection has been received from Grundon's who operate the recycling centre and waste management facility and the key points raised in this letter have been summarised below:

The Ford Circular Technology Park (CTP) currently operates as a waste transfer station, which is only part of the development permitted at the site in 2015 for a comprehensive large-scale waste treatment facility handling 200,000 tonnes of waste annually. A subsequent planning permission in 2019 allowed for a new access road to the Ford CTP from Ford Road, with additional lorry movement associated with the waste management site as well as extended delivery hours, compared to what is currently generated.

The Plans included in the planning application do not show the Ford CTP new access road (which runs alongside the wastewater treatment works). This access road is now complete and in operation.

Whilst the proposal does not seek to intensify the market use, it proposes a single point of access from Ford Road, diverting all traffic visiting the market onto Ford Road and the existing service road which will significantly increase vehicular traffic at the junction of the service road (Hunterford) and Ford Road.

The Transport Assessment only considers the current operation and associated vehicular movements and does not take account of the recently permitted additional lorry movements as part of the new access road. Therefore, the application has failed to consider the planning baseline and potential cumulative impacts.

We are also concerned about the proposed market layout, in particular the overflow car park immediately to the east of the CTP's new access road. This would create a new vehicular access and pedestrian crossing point near the CTP access point, with issues in terms of safety and conflicts between vehicles visiting our site.

VIRIDOR - Objection

A letter of objection has also been received from Viridor Waste Management Limited who operate the recycling facility at Ford. This representation is summarised below, but their full comments can be found on the Arun District Council website.

The use of a single access point for the market will significantly increase traffic at the junction of the service road (Hunterford) and Ford Road. Therefore, it is concerning that the Transport Assessment does not appear to take account of all the permitted vehicular movements associated with that access. The assessment should take account of all existing and potential vehicular movements including the movements associated with both Viridor's MRF and Grundon Waste Management's recent permitted to increase the number of lorry movements associated with its Circular Technology Park (CTP). As it stands the assessment falls short and therefore the application has not fully considered the planning baseline and potential cumulative impacts.

The proposed overflow car park would create a new access point and two pedestrian crossings, with the associated issues of safety and conflict between commercial vehicles and those visiting the market. Therefore, the safe and efficient operation of these strategic waste management uses will be compromised as a result of the development.

The planning application does not provide any evidence to demonstrate that the new arrangements will be compatible with the existing and future strategic waste related operations. The application therefore fails to provide the evidence and comfort that is required to allow permission to be issued.

FORD ENERGY FROM WASTE LTD - Objection

An objection has also been received from Ford Energy from Waste Ltd a joint venture company owned by Viridor Waste Management Ltd and Grundon Waste Management Ltd. The objections raised in this letter reflect those raised independently by both Viridor and Grundon and as such have not been summarised below. However, the full response is available through the Arun District Council website.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted. The proposed developments impact upon the operation of the highways network and the safeguarded waste sites will be considered in the conclusion to this report.

CONSULTATIONS

WSCC Strategic Planning

Environmental Health

Arboriculturist

Engineering Services Manager

Engineers (Drainage)

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Below is a summary of the consultation responses received. Please note that these are a summary of the comments received and the full comments are available on the Arun District Council website.

COUNTY PLANNING - MINERALS AND WASTE PLANNING AUTHORITY (MWPA) - comments received 16 April 2021

These comments follow the submission of a revised Waste Infrastructure Statement (WSI) dated February 2021 and should be read in conjunction with comments made on the 2 April and 25 June 2020.

Existing and allocated waste management facilities/sites must be protected from inappropriate neighbouring development that could prejudice their efficient operation and future development. Whilst the development proposed could impact upon the operation of three major safeguarded waste management sites which remains cause for some concern, subject to suitable conditions to ensure appropriate mitigation of any potential internal access conflict, and a comprehensive landscaping scheme, it is not considered that the proposed development is so prejudicial to safeguarded waste sites such as to warrant an objection.

Therefore, WSCC as MWPA offers advice to the LPA to ensure the development would be consistent with the requirements of policies W2 and W10 of the Waste Local Plan.

DRAINAGE ENGINEERS - comments received 16 March 2021

We note that an updated drainage strategy has been submitted. This does not alter our previous request for our standard pre-commencement condition to be applied. The detail submitted is inadequate to avoid the need for a pre-commencement condition. We note that the applicant has now completed further infiltration testing in the winter, and some more groundwater monitoring. This supports the provision strategy design for using infiltration to drain the new hardstanding areas.

It should be noted that at detailed design stage we will require evidence to be submitted that adequate treatment of surface water will be provided prior to disposal.

ENVIRONMENTAL HEALTH - Comments received 2 March 2021

In response to the amended submission for the above, Environmental Health has no objections to the proposed hours of access/operation, as detailed in the Barton Wilmore letter of further information dated 9 February 2021.

Conditions regarding the following matters were proposed:

- External Lighting
- Electric vehicle charging points
- Construction hours
- The use of sound/amplification equipment
- Measures to control noise

If groundworks are proposed it is recommended that a condition concerning contamination is included on any approval.

ARCHAEOLOGY - Comments received 25 January 2021

The site of the proposed overflow car park is an area that has been demonstrated to contain features and deposits of archaeological interest. In the circumstances this site should be evaluated ahead of development in order to identify anything of interest that it might contain and the enable measures to ensure suitable conservation. This process should be secured via the imposition of standard condition ARC1.

WEST SUSSEX COUNTY COUNCIL HIGHWAYS - Comments received 24 March 2020

No objection is raised to the application subject to the following basis of conditions:

- Pedestrian and emergency access
 - Details required on the pedestrian and emergency access which is to be provided prior to the closure of the eastern access.
 - Parking - the total number of spaces in use should not exceed 2,000
- Informative - Temporary developer signage.

ECONOMIC DEVELOPMENT - Comments received 9 March 2020

No comments.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The matters raised in the consultation responses will be considered further in the conclusion to this report.

POLICY CONTEXT

Designations applicable to site:
Policy H SP2c Ford (SD8) Strategic Allocation
Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

- | | |
|--------|--|
| DDM1 | D DM1 Aspects of form and design quality |
| DSP1 | D SP1 Design |
| ENVDM4 | ENV DM4 Protection of trees |
| ENVDM5 | ENV DM5 Development and biodiversity |

ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HERDM1	HER DM1 Listed Buildings
HERDM6	HER DM6 Sites of Archaeological Interest
HERSP1	HER SP1 The Historic Environment
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
LANDM1	LAN DM1 Protection of landscape character
QEDM1	QE DM1 Noise Pollution
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
RETDM1	RET DM1 Retail development

West Sussex Waste Local Plan 2014:

West Sussex Waste Policy W10 Strategic Waste Allocations

West Sussex Waste W2 Safeguarding Waste Management Sites

Ford Neighbourhood Plan 2019 Policy BUA1

Built Up Area (BUA) boundary

Ford Neighbourhood Plan 2019 Policy EH1

Protection of trees and hedgerows

Ford Neighbourhood Plan 2019 Policy EH4

Surface water management

Ford Neighbourhood Plan 2019 Policy EH5

Grade 1, 2 and 3a Agricultural Land

Ford Neighbourhood Plan 2019 Policy EH8

Light Pollution

Ford Neighbourhood Plan 2019 Policy SA1

Ford Airfield

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD6	Archaeology

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Ford Neighbourhood Development Plan 2017-2031 was made on 9th January 2019. Relevant neighbourhood plan policies have been taken into account and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is part of a strategic allocation within the built-up area boundary and the application (in association with F/4/20/OUT) has adequately demonstrated that it would accord with the requirements of policies H SP2 and H SP2c of the Arun Local Plan 2011-2031.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is located within the built-up area boundary as defined by policy SD SP2 of the Arun Local Plan (ALP) and policy BUA1 of the Ford Neighbourhood Development Plan (FNDP) as well as falling within strategic allocation SD8 through policy H SP2c of the ALP.

Policy SD SP2 states that development should be focused within the Built Up Area Boundaries (BUAB) and will be permitted, subject to consideration against other policies of this Local Plan.

Policy H SP2c as far as it relates to strategic allocation SD8 identifies that development proposals within the strategic allocation will provide at least 1,500 dwellings over the plan period as well as identifying a number of key design and infrastructure requirements which must be met through any development of the site. Policy H SP2c (SD8) makes no reference to Ford Market or its retention and as such the proposal would accord with the policy subject to it being demonstrated that the requirements of the strategic allocation can be met with Ford Market being retained.

A masterplan for the Ford Strategic Site Allocation was considered by the Development Control Committee at its meeting held on 3rd February 2021, where it was resolved:

"That authority be delegated to the Director of Place to endorse 'The Landings' Masterplan Document following:

A. The receipt of an amended document that satisfactorily demonstrates:

1. Improved provision for pedestrians, cyclists and equestrians, and
2. The historic alignment of the canal; and

B. Confirmation that there is agreement between a recognised education provider and the landowners

regarding the transfer of land for the delivery of a new secondary school at Yapton/Ford."

The Masterplan considered by Members demonstrated that the requirements of policy H SP2c (SD8) could be adequately delivered alongside the retention of Ford Market in the reconfigured format proposed by this application. Therefore, the proposed development will not undermine the delivery of strategic allocation SD8 and as such would not conflict with the objectives of policy H SP2c of the ALP. Policies SP1 and SA1 of the FNDP requires any development of the Ford Airfield site to be subject to a masterplan. Given that the reconfiguration hereby proposed is informed by the wider master planning of the site then the proposal is deemed to accord with policies SP1 and SA1 of the FNDP.

Therefore, the proposed reconfiguration of Ford Market is deemed to be acceptable in principle subject to accordance with all other relevant development plan policies as considered below.

LOSS OF AGRICULTURAL LAND

The application site falls within the wider Ford airfield strategic allocation under policy H SP2c (SD8) which comprises agricultural land classified as "best and most versatile" (Grades 1, 2 and 3a land in the Agricultural Land Classification system). Due to the nature of the proposals, the overflow carpark would result in the irreversible loss of agricultural land.

Policy SO DM1 of the Arun Local Plan states that development will not be permitted on this type of land unless 'designated by this plan' or unless the need for the development outweighs the need to protect such land in the long term. As the site falls within the strategic allocation it would not normally be the subject of consideration under policy SO DM1.

However, in this case the market does not form part of the allocation and as such cannot be considered to be designated through the Arun Local Plan. Therefore, parts (a) - (c) of policy SO DM1 would apply in this case and it would be necessary to demonstrate that the requirement to protect the best and most versatile land is outweighed by other considerations. In this case the development is related to the existing market which has operated from the site for 20 years and is land most appropriately located and associated with the existing use and as such is considered to be the best and most appropriate in accordance with SO DM1(b).

Whilst, the development does not relate directly to the implementation of the strategic allocation it does facilitate the reconfiguration of the market in support of the implementation of the proposed masterplan and the delivery of 1,500 residential units. Given that the Council is currently only able to demonstrate a 3.3 year housing land supply (HLS) it is considered that the reconfiguration of the market to deliver much needed residential development outweighs the need to protect such land in the long term.

Policy EH5 of the FNDP identifies that no development (other than that specified as permitted development) will be permitted on land Graded 1, 2 and 3a, but does identify the exception as being land allocated for development in the development plan. Therefore, as identified above this reconfiguration will facilitate the implementation of the wider master plan for the implementation of strategic allocation SD8 as required by policy H SP2c of the ALP and policies SP1 and SA1 of the FNDP.

Details concerning the measures to ensure the protection of the soil resource will be secured through the Construction Management Plan. Therefore, in this case the proposed development is deemed to accord with Policy SO DM1 of the ALP and EH5 of the FNDP.

DESIGN AND LANDSCAPE

The proposed operation of the northern, eastern and southern arms of the runway are largely unchanged from the existing scenario on site with no specific elements proposed which would give rise to any harm to the established character of the site or the wider locality. It is intended for the western arm of the

runway to be removed as part of the wider residential development of the site. However, the western arm falls outside of the redline boundary for the proposed development and as such its removal would need to be considered in the determination of F/4/20/OUT rather than through this application.

The application proposes the provision of a footpath along the southern edge of the eastern arm of the runway which will segregate pedestrian movements from the primary parking area. It is intended for this to be constructed using a no dig methodology in order to protect the roots of existing trees. However, despite this it is identified that this will result in the removal of some trees (stump diameter less than 20cm). This element of the proposal is not considered to give rise to any unacceptably adverse harm to the established character of the site or wider locality by virtue of its scale and the mature screening.

The southern boundary of the eastern arm of the runway will feature a 2m high fence consisting of galvanised steel frames with mesh infill (black). The same fence will be present along the western boundary of the northern and southern arms of the runway with access gates proposed to provide pedestrian access from the west of the application site. The proposed fencing will be screened by existing planting on the southern arm, whilst views of the shorter section of fencing adjacent to the northern arm will be obscured from Rollaston Park by the existing hedgerow prior to the implementation of the strategic allocation. Therefore, the proposed boundary treatments are deemed to be acceptable and would not result in unacceptably adverse harm to the established character of the locality.

The proposed overflow car park will be sited to the east of the existing Waste Water Treatment Works (WWTW) with access from Ford Road via the existing access road. A new vehicular access will be created within the Ford Airfield to facilitate access to the overflow car park and a separate pedestrian access is proposed linking the car park with the Ford Market. The car park is shown as being constructed from 'aggregate surface' with a green buffer shown on the eastern boundary of the car park.

Views of the proposed car park from the west will be obscured by the WWTW whilst views from the south will be obstructed by existing mature planting. Ford Lane is located to the north and the proposed car park will be screened by a mixture of existing development, hedgerows, trees whilst the topography of the site will further restrict its visibility. As such, the car park will not have any significant presence within the street scene from Ford Lane. Views from Ford Road to the east will also be significantly obscured by existing trees and hedgerows with the proposed planting buffer providing additional screening. Therefore, the proposed overflow car park is not considered to result in any unacceptably adverse harm to the established character of the site or the wider locality.

The proposed development is acceptable in both design and landscape terms with visibility of the proposed alterations largely restricted to internal views within the Airfield. The measures proposed will appear in keeping with the established character of the site and would not undermine the future development of the site.

Therefore, the proposals are in accordance with policies D DM1, D SP1, LAN DM1 and ENV DM4 of the ALP and policy EH1 of the FNDP.

HIGHWAYS & TRANSPORT IMPACTS

The proposed development has been the subject of consultation with WSCC as Local Highway Authority (LHA) who have raised no objection to the proposed development subject to the inclusion of appropriately worded conditions. The LHA in their consultation response have confirmed that the reconfigured layout would retain a total of 2,000 parking spaces to reflect the maximum permitted number of visitors.

Traffic counts have been provided to assess the existing accumulation of vehicles at the site with 468 vehicles on site on Thursday and 370 on Sunday. The site access has been modelled with existing flows

factors up by 4.4x to account for the maximum permitted visitors of 2,000. In these circumstances the access would be approaching capacity, but the junction would still operate satisfactorily with a maximum delay of 80 seconds when leaving the site. Queue data has also been provided which has demonstrated that the revised access would provide sufficient holding area for pre-set up trader parking.

Objections have been raised by the operators of the neighbouring waste management sites due to a perceived conflict between the proposed operation of the market and its impact upon their business due to conflict between pedestrians and heavy goods vehicles accessing the sites. Concerns have also been raised in regards to the operation of the 'Hunterford' and Ford Road junction and the delays at this junction.

However, the impact of a single access to the market has been considered by the LHA above who have confirmed that the existing junction when tested in the worst case scenario would still operate within capacity. In terms of the safety concerns identified by the nearby businesses the LHA have considered this potential for conflict and raised no objections. The application proposes pedestrian crossing points along with pedestrian footways to segregate pedestrian movements from the road. In addition the applicant has proposed pedestrian signage and demarcation to make drivers aware of the presence of pedestrians. These measures, are considered adequate to address the safety concerns raised and as such have been secured through the use of an appropriately worded condition.

Objections have also been raised by local residents in regards to the proposed closure of the western access onto Yapton Road due to the impacts that this would have upon Horsemere Green Lane with traffic diverting along this road and the associated delays and impacts this would have upon highway safety.

However, this matter has been considered by the LHA at the request of the LPA and it has been confirmed that the proposals would not generate any additional vehicular trips across the network but that there would be some redistribution across the wider network. Based upon the trip distribution included within the application 11% of trips distributed from the B2233 (Yapton Road) have the potential to be redistributed via either North End Road / Ford Road or continue through Yapton and utilise Horsemere Green Lane. Assuming a 50/50 split on these routes this would equate to 25 additional trips during a single peak period within the week. Therefore, this potential uplift in vehicular movements along Horsemere Green Lane would not be considered sufficient to adversely impact upon the safe operation of the highway or provide adequate justification for refusal of the application.

Therefore, in this case it is considered that the proposed reconfiguration of the market would accord with the aims and objectives of policy T SP1 and would not result in an unacceptable impact upon highway safety or a severe cumulative impact upon the operation of the road network in accordance with paragraph 111 of the National Planning Policy Framework (NPPF).

SAFEGUARDED WASTE SITES

The application site is situated within close proximity to a number of safeguarded waste sites and as such the West Sussex Waste Local Plan (WLP) forms part of the development plan in the consideration of the proposed development. The key policy considerations in this case are deemed to be policies W2 and W10 of the WLP.

Policy W2 pertains to safeguarding waste management sites and infrastructure and identifies that development that would prevent or prejudice the use of existing waste management sites or infrastructure that make an important contribution to the transfer of waste will not be permitted unless they accord with specific requirements.

In this case, as identified above, concerns have been raised by the waste operators for the neighbouring

sites that the proposed closure of the western access onto Yapton Road would place undue pressure on the operation of the 'Hunterford' and Ford Lane junction which would prejudice the operation of the waste management sites. However, this has been considered through the submitted Transport Assessment and the Local Highway Authority (LHA) and in this case it is considered that even when operating at the maximum number of visitors (2,000) the junction would still operate within capacity.

Concerns have also been raised in regards to the proposed overflow car park to the north of the access road and the proposed pedestrian crossing. The waste operators have raised concerns that this will give rise to safety implication by virtue of conflict between pedestrian and heavy goods vehicles accessing the site. In this case it is considered that there is no evidence to suggest that this relationship would give rise to unacceptably adverse safety impacts.

Therefore, in this case there is no evidence to suggest that the proposed reconfiguration of the existing market would prevent or prejudice the use of the existing management sites.

Policy W10 of the WLP relates to strategic waste allocations and identifies the site north of Wastewater Treatment Works, Ford. W10(d) identifies that sites allocated through this policy will be safeguarded from any development either on or adjoining the sites that would prevent or prejudice their development (in whole or in part) for that allocated waste management use or uses.

In this case no objections have been raised that the proposed reconfiguration of the existing market would prevent or prejudice future development of the allocated waste management site at Ford.

The proposed development would not conflict with the aim and objectives of policies W2 and W10 of the WLP.

RESIDENTIAL AMENITY

The existing Ford Market operates from the site and this application seeks to reconfigure it to facilitate the development of Strategic Allocation SD8 on the wider Airfield. In this case the proposed reconfiguration whilst introducing various additional elements, a new overflow car park and closure of the Yapton Road access would not give rise to any unacceptably adverse harm to the residential amenity of neighbouring properties beyond the current scenario.

In regards to future residents of the strategic allocation the market benefits from screening which will mitigate any the majority of impacts upon future occupiers of the site. However, in the interests of further protecting residential amenity a condition has been proposed by the Council's Environmental Health team restricting the use of any public address system or amplification system to ensure that it is not audible from outside of the site. Conditions have also been included in regards to construction and details in regards to the control of noise from the site.

As such, subject to the proposed conditions the development is deemed to accord with policies D DM1 and QE SP1 of the Arun Local Plan as well as the NPPF.

BUILT HERITAGE AND ARCHAEOLOGY

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In this case there is a Grade II listed buildings (now subdivided into multiple properties) located approximately 275m to the north of the application site, with the proposed overflow car park situated in closest proximity. This listed buildings formerly known as Ford Place is a large L shaped building which

features mature planting to the eastern, southern and western boundaries with a row of trees running from the western boundary to the south of the site. Given the separation distance and the nature of the development proposed (overflow car parking with associated landscaping) the proposal would not result in any harm to the setting or significance of the designated heritage asset.

It is considered that the runway itself would constitute a non-designated heritage asset. However, whilst it is understood that as part of the wider redevelopment of the airfield site as a strategic allocation it is intended for the western arm to be removed, this falls outside the scope of this application and as such is not a matter for consideration in the determination of this application which pertains to the reconfiguration of the market.

However, the reconfiguration of the market to facilitate the implementation of strategic allocation SD8 will secure the retention of the remaining arms of the runway ensure the continued protection of this non-designated heritage asset highlighting the historical importance of this site.

Therefore, the proposal accords with policies HER DM1 and HER SP1 of the ALP and the NPPF.

The Authority's Archaeological advisor has been consulted in relation to the proposed development and has identified that the site of the proposed overflow car park is an area that has been demonstrated to contain features and deposits of archaeological interest. As such, it has been identified that this area should be evaluated ahead of development in order to identify anything of interest that it might contain and enable measures to ensure suitable conservation. It has been recommended that an appropriately worded condition be included on any recommendation for approval to secure these details. Therefore, subject to the inclusion of the proposed condition the proposed development would accord with policies HER SP1 and HER DM6 of the ALP.

DRAINAGE

The application is supported by a Flood Risk Assessment and Drainage Strategy which confirmed that the existing access road and runways will not be altered and therefore the drainage regime for these elements will remain unchanged. It is proposed for the overflow car park to have a permeable surface and to discharge to ground through infiltration.

Unfortunately, in this case infiltration testing was carried out in the summer which suggested that infiltration could be possible, but summer testing cannot inform design with winter testing identified as necessary by the Authority's Drainage Engineer. On this basis an updated drainage strategy was submitted in support of the proposals but it was confirmed by the Authority's Drainage Engineer that the detail provided was insufficient to avoid the inclusion of a pre-commencement condition. However, subject to the use of appropriately worded condition, to secure the details, of the provisional drainage strategy the use of infiltration for new hardstanding areas is supported.

Therefore, the proposed development, subject to the below drainage condition, accords with policy W DM3 of the ALP and the NPPF.

ECOLOGY AND BIODIVERSITY

Policy ENV DM5 of the ALP relates to development and biodiversity and identifies that, in the first instance, development should seek to achieve a net gain in biodiversity and protect existing habitats on site and also incorporate elements of biodiversity.

The proposal was accompanied by an Ecological Impact Assessment (December 2019) which concluded that the site had suitable habitat to support roosting, foraging and commuting bats, breeding birds, reptiles and invertebrates. The supporting statement has identified the adverse impacts on these ecological features and has sought to identify appropriate mitigation and compensation measures.

It is identified that the proposed development would result in the loss of approximately 0.04 hectares of unmanaged semi-improved grassland. It is intended for this to be mitigated and further enhanced through the provision of 0.36 hectares of new shrub planting and 0.14 hectares of new tree planting which would result in a biodiversity net gain at the site. In addition to these measures a precautionary clearance method will be undertaken during the reptile active season (March and October inclusive), consisting of strimming of the sward to a height of 15cm to encourage reptiles to move into adjacent areas of suitable habitat. Subsequently, the top soil will be removed under the supervision of a suitably qualified ecologist and any reptiles identified at this time will be relocated with the site maintained as unsuitable for reptiles until construction works can commence.

In this case the proposal secures a net gain in biodiversity whilst ensuring that the loss of habitats is minimised. Therefore, subject to the inclusion of appropriately worded conditions the proposal is deemed to accord with policy ENV DM5 of the ALP and the NPPF.

CONCLUSION

The proposed development would not undermine the delivery of the strategic allocation as identified through the masterplan previously considered by the Authority's Development Control Committee. Nor would the reconfiguration of the market give rise to any unacceptably adverse harm to the established character of the locality or wider landscape or be prejudicial to the operation of the existing safeguarded waste uses nearby.

Therefore, the proposal accords with all relevant development plan policies and is recommended for approval subject to the below conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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, tannoys 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).

- 21 **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.

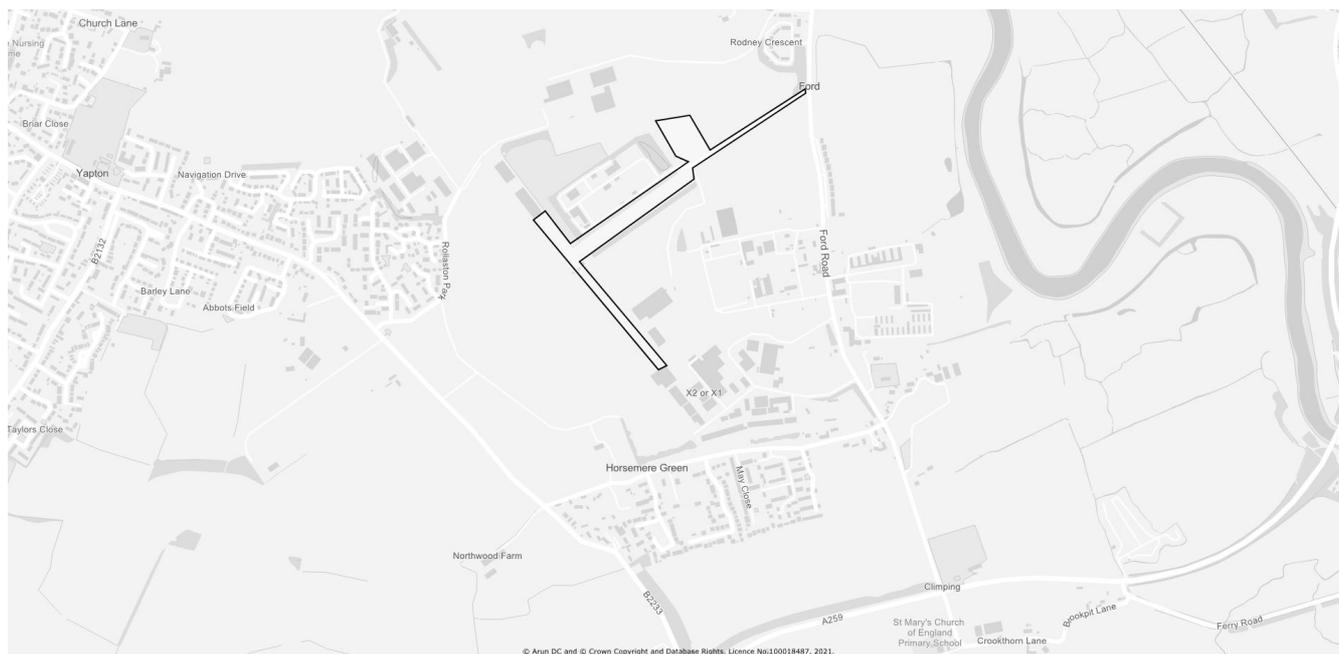
Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions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

- 22 **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.
- 23 **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.
- 24 **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.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

F/5/20/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487. 2015