

Recommendation Report for Planning Permission

REF NO: AW/42/26/PL

LOCATION: Rowland Rank Centre
Aldwick Road
Aldwick
PO21 3QQ

PROPOSAL: Refurbishment of the existing community facility and a new single storey extension along the length of the existing courtyard space to provide specialist rooms with 16 No. solar panels on roof. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Extension and refurbishment of community building including the installation of solar panels. The extension (single storey) will measure 26.8m by 5m and consist of a workshop, sensory room, youth room, soft play and WC facilities. The extension will create a 'u' shaped building with the central courtyard retained as outside space.
	Internal amendments are minor and consist of the provision of various internal walls. A small storage room will be demolished to facilitate development.
SITE AREA	1679 sqm.
TOPOGRAPHY	Predominantly flat.
TREES	There are 2 protected trees on site (TPO/AW/25/10). One, T2 a Silver Birch is proposed to be removed.
BOUNDARY TREATMENT	1.8m close boarded fence.
SITE CHARACTERISTICS	The site is a community facility consisting of a number of community spaces/room including a main hall. The site has been leased by a registered charity PACSO who would like to use the site as a long term base to work with disabled children through play, offering respite to parents and carers.
CHARACTER OF LOCALITY	Set in a predominately residential area.

REPRESENTATIONS

Aldwick Parish Council - No objection.

- 13 letters of support from users/local residents.
- Having a purposes built site would make it more accessible.
 - Expanding in offerings for users.
 - An asset to the local community which provides support to local families.
 - The design is sympathetic and not overdevelopment of the site.

- No harm to local neighbours.

COMMENTS ON REPRESENTATIONS RECEIVED:

The support for the application is noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Ecologist - No objection with condition requested.

- The submitted BNG Report and Small Sites Metric indicate an overall loss of 8.73% in habitat units, and the proposal therefore fails to achieve the required net gain. Off-site BNG units are required.
- Tree planting is proposed as mitigation and is welcomed in principle; however, under the Small Sites Metric User Guide, biodiversity gains within private gardens cannot be legally secured. A revised BNG metric is requested.
- The retained hedgerow is non-native, and the scheme does not achieve a 10% net gain in hedgerow units; as such, off-site hedgerow BNG units are required.
- No ecological assessment has been submitted; given that the site comprises a small, vegetated domestic garden, this is considered acceptable in this instance.

Environmental Health - No comments to make.

ADC Drainage Engineers - Objection.

- Has failed to provide sufficient information and has been objected to on all Standards 1 - 8.

ADC Arboricultural Officer - No objection subject to conditions.

- The proposal involves the removal of a prominent protected tree (T2), subject to Tree Preservation Order TPO/AW/25/10. The applicant justifies removal on the basis of the tree's limited life expectancy and its increasing conflict with an adjacent flint wall.
- The Arboricultural Impact Assessment acknowledges the tree could theoretically be retained alongside the development, but only through engineered foundations within the rooting zone, raising questions as to the reasonableness of such a requirement.
- Replanting opportunities for a replacement tree of stature are very limited due to the extensive use of the site frontage for essential parking, particularly in light of increased site capacity.
- A proposed replacement hedgerow of mixed native species along the west boundary is welcomed as an enhancement, but offers limited amenity value and would not be capable of protection via a TPO.
- Aldwick Woodland to the north is public land managed by Arun District Council and lies within Area Tree Preservation Order Bognor No. 2 (1958); trees within the woodland are unaffected.
- Existing hard surfacing provides adequate root protection during construction, with the Arboricultural Method Statement offering suitable guidance should future works be undertaken.
- The loss of a healthy protected tree represents a clear arboricultural harm, although its age and limited future contribution reduce the weight that can be afforded to its retention. Ordinarily, the premature loss of such a tree would require a prominent replacement; however, no realistic opportunity exists on this site, and the harm would therefore need to be accepted if the wider planning balance supports approval.
- Overall, no arboricultural objection is raised to the proposal, and subject to conditions, the development is considered acceptable from a tree and landscape perspective.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

TPOs on site

Pagham Harbour Zone B

SSSI Buffer Bognor Reef

BUAB

Surface Water flooding - medium risk

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
HWBSP1	HWB SP1 Health and Wellbeing
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

[West Sussex Waste Local Plan 2014:](#)

West Sussex Waste W2 Safeguarding Waste
Management Sites

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 considered to conflict with relevant Development Plan policies in that the proposal has not evidence a discharge location of surface water on site, nor has it proven that discharge rates will not result in flooding elsewhere.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is liable for Biodiversity Net Gain (BNG) and the following is a summary of the key points:

An onsite shortfall has been identified; off site credits will be required.

CONCLUSIONS

PRINCIPLE

The site is in the Built-up Area Boundary (BUAB), as defined by Policy SD SP2 of the Arun Local Plan (ALP), which seeks to focus development in this area, subject to compliance with other relevant policies.

The site is sustainably located, with good access by foot, bicycle, car, bus, and train. Subject to compliance with relevant policies, the principle of development is acceptable.

DESIGN AND CHARACTER

The extension reflects the form and appearance of the northern wing of the building. The roof profile is consistent, and the palette of materials, particularly on the north western elevation, has been carefully considered, with the continued use of flint to match the existing elevations visible from this viewpoint.

The extension would result in a U shaped building arrangement, with the two storey main hall forming a clear focal point upon entry to the site. The remaining external space would provide an enclosed garden area, offering a pleasant and functional outdoor environment.

The use as a play/learning facility for disabled children and young adults is compatible with its established role as a community facility, formerly operated as a community hall by the Lions Club.

It is proposed to retain the existing high front boundary treatment, whilst this is understood for the safety of users and as a security measure, the site does not appear particularly welcoming and rather hidden, from the outside.

The inclusion of solar panels does not harm the visual amenity of the area.

The extension is sympathetic in terms of character, scale, layout, and design, and despite the minor negative from its frontage to the road, it is considered to accord with Policy ALP D DM1.

RESIDENTIAL AMENITY

The site is bounded by dwellinghouses on three sides, to the immediate east, south, and west. Of these, No. 37 Rucrofts Close would share a boundary with the proposed extension. An existing access drive measuring approximately 3.5 metres in width serves a small parking area to the rear of the Rowland Centre, which provides separation between the extension and its nearest residential neighbour.

The applicant has consulted local residents through an on site meeting to discuss the proposal. Feedback was positive, with comments received requesting the removal of a conifer hedge.

The extension would have a maximum ridge height of 4.7m, which is significantly lower than the main hall, which has a maximum height of 7.6m and is located adjacent to No. 37. The extension would be to the north of its nearest neighbour.

Fenestration would predominantly face the inner courtyard garden, with only a small number of high level windows serving WC facilities facing towards No. 37. These windows would be obscure glazed, which can be secured by condition.

The centre operates as a community building used by a variety of groups and clubs, including during evenings on some days. The proposed use is not expected to result in additional noise or disturbance and is consistent with the existing use. Given that the facility would provide care for children and young adults, its hours of operation would be limited and would not extend late into the evening.

Having regard to the above, the proposal would not result in an overbearing or overshadowing impact on the nearest residential neighbour. Other nearby dwellings are separated by parking areas, where no alterations are proposed. There would be no loss of privacy. The proposal is acceptable and accords with policies ALP D DM1 and QE SP1 in these respects.

CLIMATE CHANGE

The building shall be built to optimal standards with a fabric first method with good levels of thermal efficiency and natural ventilation. Solar panels are to be included to generate on-site power.

In this respect, the proposal incorporates energy efficiency measures and utilises its design to promote sustainability. It therefore accords with ALP policy ECC SP2.

PARKING

The Arun Parking Standards (APS) state that places of assembly and leisure generate a car parking requirement of 1 space per 22sqm of floorspace. Cycle parking provision is required at a rate of 1 space per 4 employees, in addition to visitor provision. The existing access is to be retained.

The internal floorspace measures approximately 250sqm, with the extension adding a further 114sqm, resulting in a floorspace of approximately 351sqm. In accordance with the APS, this would generate a car parking requirement of just under 17 spaces. A total of 16 car parking spaces are currently, and this is not proposed to change. The shortfall of one space is not considered significant or harmful, particularly

given the presence of unrestricted on street parking directly adjacent to the site.

The development is anticipated to generate the equivalent of approximately 15 full time employees (operating on a rotational shift basis). This would generate a cycle parking requirement of approximately 4 spaces. As 6 cycle parking spaces are proposed, the scheme exceeds the minimum requirement and is considered acceptable. The proposal provides an appropriate level of on site car and cycle parking. Any limited overspill parking is not expected to result in material harm to highway safety or the amenities of the surrounding area. The introduction of cycle parking; where none previously existed, is welcomed and is likely to encourage sustainable modes of travel where possible.

A condition can be imposed to ensure that the cycle parking is provided and retained thereafter, with the facilities being secure and sheltered from adverse weather conditions.

Subject to the above condition, the proposal accords with ALP policy T SP1 and the APS.

TREES

There are two protected trees found on site a Poplar (T1) and Silver Birch (T2). Both are category B trees. Due to its position adjacent to the extension it is proposed to remove T2. The applicant has stated that the tree is towards the end of its life and removing it would not result in any harm to the amenity of the area. Replacement trees are proposed. Also to be removed is the leylandii hedge, this would fall within the catchment of Bognor No. 2 TPO.

The applicant stated that due to the remaining life expectancy of the tree (T2), its removal and replacement would be acceptable. New hedgerow and a number of specimen trees will be planted in place of the existing leylandii.

The Arboricultural Officer has stated that it is unlikely that any new tree planting would take and grow successfully given the limited space and remaining hard surfaces on site, final confirmation of any new planting can be secured by condition. For this assessment it will be considered that any new tree planting would be limited, and limited to much smaller urban tree species.

ALP policy ENV DM4 seeks to protect TPO trees against development, allows development to be approved if the benefits of the development outweigh the loss. The development has significant social gains, benefiting the young and young disabled children and their respective families. This benefit is considered to outweigh the loss of a protected tree with a limited lifespan.

Subject to condition, the proposal is justified in removing the tree, and ultimately accords with policy ENV DM4 of the ALP.

DRAINAGE

ALP policy W DM3 states that, to improve water quality, storage, and capture, development must identify opportunities to incorporate a range of SuDS appropriate to the scale of development, and at an early stage in the design process. Policy W SP1 similarly encourages the integration of SuDS, particularly where they can mitigate flood risk.

Paragraph 181 of the NPPF requires authorities to ensure flood risk is not increased elsewhere, in areas at risk of flooding its should be demonstrated that sustainable drainage systems are incorporated unless clear evidence indicates that this would be inappropriate. Paragraph 182 of the NPPF requires SuDS to be incorporated to control flow rates and reduce runoff volumes, while also delivering multifunctional benefits such as improvements to water quality, biodiversity, and amenity. The NPPG further advises that SuDS should be designed using nature-based techniques to replicate natural drainage as closely as possible. It reiterates the importance of considering drainage design early in the process (Paragraph

055), outlines the SuDS hierarchy (Paragraph 056), sets out the requirements of a planning application submission (Paragraph 059) and references the SuDS Manual and the National Statutory Technical Standards for SuDS (NSfS) (June 2025) as key sources of guidance (Paragraph 057).

The site is identified as being at medium risk of surface water flooding (1% AEP) where the proposed extension is to be cited, the rest of the site is between low to medium risk. A proposed drainage layout has been submitted; however, no site specific investigations have been provided, including groundwater monitoring, infiltration testing, or soil sampling. The applicant states that infiltration is unlikely to be viable due to high groundwater levels and, on this basis, ground investigations have not been undertaken. This approach is not supported. The Authority's mapping data covers 1 km² areas and only indicates potential risk; site conditions can vary significantly within individual mapped areas and therefore cannot be relied upon as a substitute for site specific investigations.

It is proposed that all surface water is discharged to an existing surface water drain that runs across the parking area from the north east to the south west. New impermeable areas would be created as a result of the proposed extension and the resurfacing of the central courtyard with a rubberised play surface. While it is noted that hardstanding within the side access drive and rear parking area would be removed and replaced with a permeable gravel surface, paragraph 182 of the NPPF is clear that both runoff volumes and rates must be appropriately managed. Any claimed betterment in runoff volume alone should therefore be tempered, as no assessment of runoff rates has been provided.

Runoff rates must be assessed in accordance with paragraphs 3.18 to 3.20 of the NSfS. These standards require the greenfield runoff rate to be used as the primary comparator against the proposed development runoff, rather than the existing runoff rate. While a relaxation may be applied to previously developed sites, this must be formally agreed with the approving body. No such request or agreement has been submitted to the Authority.

The SuDS hierarchy, as set out in the NPPG and supported by other guidance documents, establishes infiltration to ground as the highest priority discharge method, excluding water reuse which would not offer a whole design solution. Discharge to a surface water sewer is a lower priority option. Paragraph 1.3 of the NSfS is explicit that each discharge option must be maximised before progressing to the next. In this case, following infiltration, the next preferred option would be discharge to an above ground surface water body. A surface water ditch can be found to the immediate south western corner of site, sitting just between 207 Aldwick Road and the rear of 35 Rucrofts Close. This hierarchy has not been demonstrably followed.

Where discharge to a surface water sewer is proposed, the NSfS requires that evidence, including flow parameters, discharge rates, and discharge volumes, is agreed in writing with the relevant risk management authorities and the downstream system owner. No information has been provided on proposed runoff rates or on the capacity and condition of the receiving sewer, and no agreement has been submitted to demonstrate that Southern Water has accepted the proposed discharge.

As infiltration has been discounted by the applicant, it is also necessary to demonstrate that the first 5 mm of rainfall from most rainfall events would be intercepted on site. No interception features have been identified within the submitted proposals. Accordingly, it has not been demonstrated that surface water from the site can be managed in an acceptable manner. Should infiltration later be proven viable, the level of storage required could have significant implications for the scale and layout of the development. Conversely, if infiltration is confirmed to be unviable, it has not been evidenced that the receiving sewer has sufficient capacity, nor that runoff rates would not increase. As such, it cannot be assured that the proposed development would not increase flood risk on site or elsewhere. The NPPF and NPPG are explicit that development must not increase flood risk elsewhere. In this instance, the potential for significant human and environmental harm has been identified.

For these reasons, the proposal fails to accord with Standards 1 to 3 of the NSfS. Having regard to the above, resolving these fundamental matters through the imposition of conditions would be inappropriate. There is a clear risk that such conditions could not be discharged, which may render the permission invalid or result in conditions being deemed unreasonable.

In terms of water quality, amenity, and biodiversity, no assessment has been provided. While it is acknowledged that the inclusion of such measures may not materially affect the scale or layout of the development, the NPPF, NPPG, SuDS Manual, and NSfS all require these elements to be considered as integral components of a successful surface water drainage system.

As a result, the proposal also fails to comply with Standards 4 to 7 of the NSfS. Overall, the development does not comply with the NSfS or the SuDS Manual, compliance with which is secured by the NPPG and afforded weight equivalent to national policy. The proposal also fails to demonstrate that flood risk will not increase elsewhere, contrary to the NPPF. Furthermore, it conflicts with ALP Policy W DM3, as the SuDS hierarchy has not been adequately considered, and does not gain support from ALP Policy W SP1.

A request was made to the agent regarding the shortfall in information to support the application, however no further information was forthcoming.

BIODIVERSITY

The application is supported by a statutory Biodiversity Net Gain (BNG) metric but is not accompanied by a Preliminary Ecological Assessment, due to the urban nature of the site. Under the Environment Act 2021, a minimum 10% BNG is required. ALP Policy ENV DM5 also requires biodiversity enhancement.

A baseline assessment has been submitted; however, this contains a notable error in that one protected tree has been recorded as a small urban tree rather than a medium urban tree. As a result, the baseline BNG loss has been slightly understated. The Authority's Ecologist has also identified that mitigation measures, including tree provision, have been attributed to a private garden area with no public access. The Small Sites Metric User Guide is clear that private mitigation can only be recorded within the Biodiversity Net Gain calculation as Urban Vegetated Garden or Urban Unvegetated Garden. This will reduce the post development BNG achieved on site.

Given baseline losses are likely to be greater than declared and post development gains lower than stated, it is anticipated a greater number of off site BNG units would need to be secured. The NPPG confirms that where BNG is considered in decision making, it would generally be inappropriate to refuse planning permission solely on those grounds, as matters can typically be addressed by condition. Given the application is otherwise complete and that no distinctive habitats are present, it would be unreasonable to refuse the proposal on the basis that some information is incorrect.

Indicatively, the proposal would result in a post development BNG shortfall of approximately 8.75%. As such, the statutory requirement for a minimum 10% gain has not been met at this stage. However, subject to securing the corrected and required post development gain through the purchase of appropriate off site BNG units, the proposal would accord with the Environment Act 2021.

ALP Policy ENV DM5 requires on site BNG where possible. This can be secured via condition, for example through the installation of bird or bat boxes and wildlife planting.

Subject to appropriate conditions securing both on site measures and the purchase of sufficient off site units to achieve a minimum 10% gain, the proposal can comply with BNG requirements and accord with ALP Policy ENV DM5.

SUMMARY

Subject to compliance with the Development Plan, proposals within the BUAB are acceptable in principle. The application site lies within the BUAB and the proposal is considered acceptable in terms of design, character, parking provision, sustainability of location, and impact on residential amenity. The identified harm to a protected tree has been justified and biodiversity enhancements can be secured by condition. On this basis, the proposal broadly accords with the Development Plan.

However, the proposal fails to demonstrate compliance with local and national drainage policies and guidance. As a result, it conflicts with the Development Plan as a whole, in particular Policy SD SP2, due to the absence of an acceptable drainage strategy.

Significant weight is afforded to the social benefits of the scheme, notably the provision of respite care for disabled children and their families. The proposal represents a valued community facility located within the area it is intended to serve, and local support is acknowledged. Nevertheless, the scheme also gives rise to potential adverse environmental impacts, specifically an increased risk of flooding on and off site.

The NPPF (paragraph 8) sets out three overarching objectives of sustainable development: economic, social and environmental. These objectives should be pursued in a mutually supportive way to ensure that development meets the needs of the present without compromising future generations.

Policy 11(d)(ii) states that where there are no relevant development plan policies, or where the most important policies are out of date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Although the housing land supply position renders the Plan out of date, the policies most relevant to this application remain consistent with the NPPF and continue to carry full weight.

Key policies include those relating to sustainable locations (110 and 115), efficient use of land (129), and well-designed places (135). The site is in a sustainable location, with access to transport options including on-site parking, cycling provision and public transport. However, the proposal fails to demonstrate an efficient use of land, as the capacity and adequacy of the drainage infrastructure remain unproven. This raises concerns that the development may increase flood risk, which could undermine its layout, function, and overall quality.

While the proposal seeks to deliver a safe, inclusive and accessible facility promoting health and wellbeing, unresolved flood risk issues mean it cannot be concluded that it would provide a high-quality and sustainable environment over its lifetime. It fails to fully accord with relevant NPPF principles, including those relating to effective land use (124) and the creation of healthy, well-designed places.

Although social benefits are substantial, the potential long-term environmental risks associated with flooding outweigh these benefits. The proposal therefore constitutes unsustainable development and conflicts with both the Development Plan, the NPPF and NPPG.

The application is recommended for refusal for the following reason.

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), Article 1 of

the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 positive impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable as other development.

RECOMMENDATION

REFUSE

- 1 The application fails to provide an acceptable surface water drainage strategy. In particular, it has not satisfactorily demonstrated that on-site infiltration is unfeasible, nor has it provided adequate evidence to show that discharge to the surface water sewer would not increase runoff rates or volumes above the existing greenfield condition, a relaxation factor has not been agreed. Insufficient information has also been submitted to confirm the capacity of the proposed receiving network or that appropriate consent to discharge can be obtained.

As a result, it has not been demonstrated that surface water runoff from the site would be appropriately managed, or that the proposal would not increase the risk of flooding on site or elsewhere. Furthermore, the scheme fails to follow the sustainable drainage hierarchy and does not incorporate SuDS measures that provide interception, water quality treatment, or wider multifunctional benefits such as biodiversity or amenity enhancements.

- 2 The proposal is contrary to Arun Local Plan Policies W DM3 and W SP1, and the objectives of the NPPF and Planning Practice Guidance relating to flood risk and sustainable drainage.
- 2 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern and discussing those with the Applicant. It has not been possible to resolve those matters within the timescale allocated for the determination of this application. The Local Planning Authority has clearly set out, in its report, the steps necessary to remedy the harm identified in the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.