

Recommendation Report for Planning Permission

REF NO: A/101/22/PL

LOCATION: Worthing Rugby Club
Roundstone Lane
Angmering
BN16 4AX

PROPOSAL: Take down the existing 6no 10m lighting columns and floodlights, and replace with 4no 15m base hinged masts and 8no LED floodlights to provide sufficient lighting for training purposes in line with RFU specification. This application is in CIL Zone 2 (Zero rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The replacement of 6no 10m high floodlighting masts with 4no 15m high masts with 8 LED floodlights.
SITE AREA	0.8 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	TPO's on site. None affected by the proposed development.
SITE CHARACTERISTICS	Rugby Club.
CHARACTER OF LOCALITY	Worthing Rugby Club fields and parking area is surrounded by residential properties in a suburban area of Angmering.

RELEVANT SITE HISTORY

A/14/89	Erection of 8 no floodlighting columns each with 8 no lamps to pitch 3	ApproveConditionally 06-03-89
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Noted.

REPRESENTATIONS

None.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Environmental Health - No objection.

The calculated value of light spillage appears to be below the standard given by the Institute of Lighting Professionals.

It is therefore considered that based on the calculation, the scheme seems unlikely to give rise to obstructive lighting and nuisance.

Sport England - Support.

The performance specification is compliant with the RFU recommendations for a 100 lux system i.e. in excess of 100 lux average and 0.5 uniformity. Worthing RFC demonstrates a lack of adequate floodlit training capacity and has been in discussion with the RFU as to means to address this. The RFU supports the application.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Special Control of Adverts.

TPOs

Community Asset.

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

HWBSP1 HWB SP1 Health and Wellbeing

QEDM2 QE DM2 Light pollution

[Angmering Neighbourhood Plan 2014 POLICY CLW4](#) Health Facilities

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

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 Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for

the relevant designated neighbourhood area.

There are no Angmering Neighbourhood Plan relevant to this application.

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 comply with relevant Development Plan policies in that the proposal would have an acceptable design and impact on neighbouring residential properties in accordance with policy QE DM2 of the Arun Local Plan and would contribute towards the necessary infrastructure for health & wellbeing in the Arun District in accordance with policy HWB SP1 of Arun Local Plan.

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 OF DEVELOPMENT

The site is located within the built-up area where the principle of development is acceptable. In this instance, the main criteria against which the application will be assessed is contained within relevant policies of the Arun Local Plan in including policies QE DM2 relating to impact from light pollution, HWB SP1 relating to health & wellbeing and D DM1 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and the character of the area.

DESIGN

No negative impact in terms of visual amenity is seen to arise from the proposed development. The replacement of fewer lighting masts, albeit with masts 5m taller is not of concern as the site is sheltered by mature planting to all boundaries. The development is the form and type as expected for a site such as this. The design of the masts and LED units are compact, with the base of the mast measuring 0.4m by 0.5 and the maximum length and width of the LED lamps being 1m by 540mm, given an unobtrusive design.

The proposal accords with Policy D DM1 of the Arun Local Plan in that it is in keeping with the character of the site and there will not be significant visual impact from the masts.

RESIDENTIAL AMENITY

The proposed new floodlights are to be medium beam floodlights rather than non-directional floodlights and the therefore this will contain light spillage and not significantly affect residential amenity of nearby properties as a result. The scheme has been designed to meet environmental zone E3, meeting the Campaign for Dark Skies requirements. Cowls will be fitted to the front and back of the LED lamps to further reduce light spill. The proposed lux levels are slightly higher than existing assumed levels however, Environmental Health have confirmed that light spill is within allowed limits.

The proposal complies with Policy QE DM2 of the Arun Local Plan with respect to residential amenity.

HEALTH & WELLBEING

Policy HWB SP1 advises that regard shall be had to providing or contributing to the necessary infrastructure to encourage physical exercise and health, including accessible open space, sports and recreation facilities (including outdoor fitness equipment).

As set out in the additional information provided the upgrading of the floodlighting will allow the Worthing Rugby Club to provide sufficient lighting for training purposes in line with RFU specification. It is considered that the proposal significantly contributes to the necessary infrastructure to encourage physical exercise and health and accords with policy HWB SP1 of the Arun Local Plan.

SUMMARY

The proposal is in keeping with its semi rural setting and to accord with policy. It is recommended for approval subject to the following 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 and documents:

- Location Plan UKS18242-5
- Site Plan UKS18242-4
- Mast Elevations HL250D15/2/CH1LED
- Challenger 1 LED AL6100-AL6300 Specification
- Lighting Impact Assessment

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 The 'horizontal luminance' levels on the playing surface shall be no greater than levels specified for the particular sport / activity and for the level of competition, as specified within BS EN 12193:2018 Light and lighting - Sports lighting and the standard specified by the Institute of Lighting Professionals.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.