Recommendation Report for Planning Permission

**REF NO:** A/122/21/PL

**LOCATION:** Worthing Hockey Club
Angmering School
Station Road
Angmering
BN16 4HH

**PROPOSAL:** Erection of a marquee (21m x 9m x 4m high) for social and leisure use for a period of 5 years. This application is in CIL Zone 3 (zero rated) as other development.

## SITE AND SURROUNDINGS

| | |
|---|---|
| DESCRIPTION OF APPLICATION | Erection of a marquee 21 metres by 9 metres by 4 metres high for a period of five years for social and leisure purposes. |
| SITE AREA | 0.06 Hectares |
| TOPOGRAPHY | Predominantly flat. |
| TREES | None affected by the proposed development. |
| BOUNDARY TREATMENT | Open to the adjoining school and abuts the hockey club pavilion to the north. |
| SITE CHARACTERISTICS | A sports club. |
| CHARACTER OF LOCALITY | The sports club is located within a school premises. |

Worthing Hockey Club Pavilion, located next to the marquee, was granted a certificate of lawful proposed development on the 30 July 2018 under reference A/65/18/CLP.

## REPRESENTATIONS

Angmering Parish Council - No objection.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

County Highways - Given the proposed hours of operation, outside school hours , the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

### COMMENTS ON CONSULTATION RESPONSES:

- comments noted

## POLICY CONTEXT

Designation applicable to site:
OUTS BUILT AREA

### DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

| | |
|---|---|
| CSP1 | C SP1 Countryside |
| DDM1 | D DM1 Aspects of form and design quality |
| DSP1 | D SP1 Design |
| TSP1 | T SP1 Transport and Development |
| HWBSP1 | HWB SP1 Health and Wellbeing |

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways

### PLANNING POLICY GUIDANCE:

| | |
|---|---|
| NPPF | National Planning Policy Framework |
| NPPG | National Planning Practice Guidance |

### SUPPLEMENTARY POLICY GUIDANCE:

| | |
|---|---|
| SPD11 | Arun Parking Standards 2020 |
| 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 relevant policies in the Angmering Neighbourhood Plan have been taken into account.

## 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 it is a temporary use with an acceptable design and no impact on the residential amenity of any nearby properties.

## OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

## CONCLUSIONS

PRINCIPLE

The main issues with this application are the design of the marquee and any possible impact on residential amenity and traffic generation.to

The application falls to be assessed against policies within the Arun Local Plan (ALP) which include policies C SP1, D DM1, D SP1 and T SP1.

Policy D SP1 "Design" states that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy C SP1 requires that development outside built area boundaries will not be permitted unless it accords with policy elsewhere in the plan related to the development/use proposed.

Policy HWP SP1 a. requires that regard be had to necessary infrastructure to encourage physical exercise and health.

DESIGN AND VISUAL AMENITY

The temporary structure is acceptable on design terms being of a reasonable scale and massing next to the main clubhouse of the hockey club which measures 14.6m x 6.5m x 2.96m. The materials are appropriate and the design is in all other respects acceptable for the use proposed. A condition will be applied requiring the removal of the marquee in 5 years time and restoration of the site.

RESIDENTIAL AMENITY

There are no neighbouring residential properties and therefore no loss of residential amenity.

HIGHWAY SAFETY

Given the proposed opening hours of Tuesday and Wednesday from 5 pm till 11 pm, Saturdays between 9 am and 11 am, on Sundays between 9 am and 2 pm there is not expected to be an intensification of the use of the area to an extent that it would cause severe traffic highway problems and therefore the proposal is compliant with policy T SP1 of the Arun Local Plan.

SUMMARY

The application is therefore 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 ;

Site Location Plan
Site Plan 18/12 s.p.a.
Proposed Elevations and Floor Plans dwg.no. 21/12/1
Block Plan dwg.no. 21/12

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 use of the marquee will be same as that for the use of the ground by Worthing Hockey Club which is Tuesday and Wednesday between 5 pm and 11 pm, Saturdays between 9 am and 11 am and on Sundays between 9 am and 2 pm.

Reason: In the interest of highway safety in accordance with Policy T SP1 of the Arun Local Plan

4 Five years from the date of this planning approval the marquee shall be removed and the site restored to its former condition.

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.

5 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.