

Recommendation Report for Planning Permission

REF NO: A/131/20/PL

LOCATION: Rustington Golf Centre
Golfers Lane
Angmering
BN16 4NB

PROPOSAL: New outdoor climbing area, kiosk, briefing room & net gain of 31 No. car parking spaces. This site is in CIL Zone 3 (Zero Rated) as 'other development'.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposals are to create a new outdoor climbing area close to the existing clip and climb facility. The area would be constructed of steel sandwich panels. The proposals will result in a loss of 27 existing car parking spaces. To supplement this the applicant proposes to create 58 new spaces to the southern edge of the existing car park with a net gain of 31 spaces. The additional spaces are all positioned to allow a two way traffic flow through the existing car park. The climbing area will have various pieces of climbing equipment within a 15m x 15m zone.

The climbing area will be surrounded by post and rail fencing. Two fabricated buildings will be required. One to supply tickets for entry and also refreshments and the other is a 'briefing room' to give customers the instructions required to use the facilities safely.

Each building is approximately 17sqm. The surfacing within the climbing area will be a combination of block paving and 'friendly' surfaces such as green 'rubber crumb'. There will be some seating associated with refreshments which will be available from the proposed kiosk.

The maximum height of the equipment is 12m. The main columns are 10.2m in height.

SITE AREA

0.74 hectares

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

None

SITE CHARACTERISTICS

The proposed climbing site is at the eastern edge of the existing car park.

CHARACTER OF LOCALITY

Part of golf course complex.

The Out of Bounds building is directly to the west of the site.

The existing car park is to the south, the existing service road and green keeping building and yard to the east with the golf course to the north.

Residential dwellings to east.

RELEVANT SITE HISTORY

A/114/20/PL	New Net Adventure area together with entrance kiosk, store, seating area & fencing. This application falls in Zone 3 (Zero Rated) as 'other development'.	ApproveConditionally 24-09-20
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A/77/16/PL	Leisure development consisting of 9 No. 5 a side pitches, trampoline/laser tag centre, hotel, pub/restaurant, forest adventure kiosk, nursery, sub-station & associated infrastructure & car parking. This application is a Departure from the Development Plan.	App Cond with S106 25-01-17
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A/95/14/PL	New miniature golf course	ApproveConditionally 19-09-14
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REPRESENTATIONS

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No Objection
Condition relating to contaminated land requested

Drainage Engineer - No comment

County Highways - No Objection
Request condition relating to car parking

Ecology Officer - No Objection
Request conditions relating to provision of bat and bird boxes

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Outside 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
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
HWBSP1	HWB SP1 Health and Wellbeing
ENVSP1	ENV SP1 Natural Environment
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
EMPDM1	EMP DM1 Employment Land: Development Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

There are no relevant policies in Angmering Neighbourhood Plan to take 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 adds new commercial and tourism development to an existing employer without detrimentally impacting the established character of the surrounding area or the residential amenities of nearby properties.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

The site lies outside the built up area boundary where development unrelated to the needs of agriculture, forestry etc would not normally be permitted unless they comply with other policy in the plan as per policy C SP1 (f) of the Arun Local Plan.

POLICIES TOU DM1, HW SP1 and EMP DM1

Policies TOU DM1(1) and EMP DM1(1) of Arun Local Plan support proposals for development which are likely to attract visitors/enhance existing facilities provided they are in accessible locations, are accompanied by realistic travel plans, address visitor management issues and achieve good design. Outside the built up area boundary these will be expected to be small in scale. It will necessary to demonstrate that it is compatible with its countryside location.

In this instance the proposal to increase the amount of built development on site is not going to intrude further into neighbouring open land and instead it will be built on an area of land that is currently car parking adjacent to the existing concrete road to the east. The location and uses proposed meet the requirements of Policy TOU DM1(1) and EMP DM1(1) and accord with the requirements of the NPPF. The proposal is small in scale and is linked with the established use of the site and will also provide employment for up to 4 people .

Policy HWB SP1 of Arun Local Plan requires all development to be designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities. New recreation/leisure facilities should be located along public transport corridors to that they are easily accessible by the wider public. This site is well served by public transport/footpaths and cycle routes. The new proposal will compliment and extend the existing leisure facilities and give more variety to visitors and users.

Both National and Local Planning Policy encourage outdoor activity/recreation. The proposal will add outdoor facilities which will complement the indoor activities to give visitors greater choice.

The site is located within the 'made' Angmering Neighbourhood Plan area and the Plan confirms that there is a presumption in favour of sustainable development. It recognises that the health infrastructure supporting the local community is vital (para 7.26 of the Angmering Neighbourhood Plan). The NDP follows the guidance set out in the NPPF.

The proposal accords with policies C SP1, HWB SP1, TOU DM1 and EMP DM1 of the Arun Local Plan.

DESIGN

Planning Policies and Central Government Advice support the efficient and effective use of land. Policies D DM1 and DSP1 of Arun Local Plan require new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. The NPPF also attaches great weight to the design of the built environment and states that good design is a key

aspect of sustainable development and should contribute to making places better for people.

The proposal is constructed of steel with a maximum height of 12m. The more solid structures do not exceed 10.2m in height and have column profile shape. The equipment will be located adjacent to the cluster of existing buildings it will not appear as an isolated, prominent or obtrusive feature and much of it would allow visibility through reducing its visual impact. Although slightly taller than the building to the west the part of structure projecting above the roof line is a series of slimline poles which would not be readily visible from outside the site. The tall pine screen to the east provides significant screening between the development proposals and many of the residential properties to the east. In addition a green buffer is retained. The A259 is now a built up corridor of development and the structure proposed is designed to be only slightly higher than the existing buildings which are screened to the north by an existing landscaped tree screen.

The design is complimentary to the existing established leisure use of the site and ensures the proposals are not dominant in the surrounding golf course setting. The proposal therefore accords with the provisions of policies D DM1 and D SP1 of Arun Local Plan.

NEIGHBOUR AMENITY

Arun Local Plan Policy D DM1 indicates planning permission will only be granted for schemes which take into account impact on adjoining occupiers, land, use or property. The NPPF states that new development should contribute positively to making places better for people. These guiding principles are also contained in the Angmering NDP.

Whilst it is acknowledged that the equipment is not fully enclosed the proposed position of the structure, which is not adjacent to residential boundaries, would likely ensure that there would be no undue harm from noise to the residents to the east of the golf centre. Furthermore the retention of trees on the boundary would reduce the impact on the residential amenities of properties to the north within Ham Manor Estate. Therefore the development accords with policy D DM1 and the NPPF.

The site is 200m from the site entrance and benefits from screening from trees and hedging around the site. The existing golf course, sports centre and out of bounds centre already generate traffic and activity at the site and it is not considered that the proposed use would significantly increase these levels or adversely impact on the residential amenities of properties to the east by reason of an unacceptable increase in noise generation. The side of the activity area would be approx. 40m from the rear boundary of the adjacent property at its closest point and the use is ancillary to the main established use of the site as a golf course. It is proposed that the premises would operate between 9am until 6pm (daylight hours permitting) 7 days a week. These hours are considered reasonable given that the existing golf course operates at similar times. Other developments on the site operate without a restriction on hours of operation. The adventure golf to the east approved under A/95/14/ PL was not restricted by condition and is a similar distance from neighbouring properties and it is considered that it would be unreasonable to restrict the use of this development which is of a similar nature and similar proximity.

Environmental health have no objection to the proposal.

HIGHWAYS, TRANSPORT AND PARKING

The site has access from the existing roundabout on the A279 carriageway. The road leading to the facilities from the roundabout is Golfers Lane. The car park serving the development has 343 existing car spaces including disabled spaces and the revised layout and additional car parking along the southern perimeter of the existing car park will increase parking provision to 374 spaces. A net gain of 31 spaces.. It is expected that there will be a balance of use of outdoor activities and indoor depending on weather

conditions so no additional spaces are proposed.

There are 5 existing cycle parking 'Sheffield' stands on the SE corner of the Out of Bounds building which is intended could be utilised by cyclists. In highway terms the proposal complies with policy TSP1 of Arun Local Plan. The site is accessible by bicycle and on foot via existing footpaths and cycle lanes.

ECOLOGY

No ecology report has been submitted with this application. The ecology officer has been consulted and has raised no objection, but has requested conditions relating to lighting and bat and bird box provision. The proposal would achieve a gain in biodiversity. The addition of boxes would improve habitat provision in accordance with policy ENV DM5 of Arun Local Plan.

CONCLUSION

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:

Location 20-20099-AE01 ,
Existing Site Layout Plan AE02,
Proposed Site Layout AP01B,
Outdoor Climbing Area Briefing from Floor Plan and Elevations AP02A,
Outdoor Climbing Area and Kiosk Floor Plans and Elevations AP03B,
Proposed Elevation View 1 Outdoor Climbing Area AP04A,
Proposed Elevation View 2 Outdoor Climbing Area AP05A ,
Proposed Elevation View 3 Outdoor Climbing Area AP06A,
Proposed Elevation View 4 Outdoor Climbing Area AP07A,
Proposed Site Layout with additional Car Parking AP09 and
Block Plan AP10.

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 part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of Arun Local Plan.

- 4 Prior to use commencing the following wildlife habitats and enhancements shall be provided in accordance with details to be submitted to and approved by the Local Planning Authority:

- Bat box to be installed on a building on the site in south/south westerly facing elevation positioned 3-5m above ground
- A bird box on the building and/or a tree within the site

Reason: In the interests of protected species in accordance with policy ENV DM5 of 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.

- 6 INFORMATIVE: Any lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.