

Recommendation Report for Planning Permission

REF NO: A/250/21/PL

LOCATION: Mayflower Way
Angmering
BN16 4AY

PROPOSAL: Installation of 11 No 6m solar lamp columns along the path through Mayflower Park. This site is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Installation of 11, 6m solar lamp columns along path running North- South through Mayflower Park.
TREES	None affected by the proposed development.
SITE CHARACTERISTICS	Park, including play and fitness equipment, skate park and open space.
CHARACTER OF LOCALITY	Park Located on the outskirts of the Built Up Area Boundary (BUAB) but serving Bramley Green and new residential developments off Mayflower Way.

REPRESENTATIONS

No representation received from the Parish Council.

19 Letters received in support of the proposal.

- Beneficial for the area.
- Environmentally friendly.
- Provide safe route to/from school and train station.
- Very much needed.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.

WSCC Highways - Advice

In conclusion, 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 111), and that there are no transport grounds to resist the proposal.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside the BUAB.

DEVELOPMENT PLAN POLICIES

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

HWBSP1	HWB SP1 Health and Wellbeing
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
QEDM2	QE DM2 Light pollution

[Angmering Neighbourhood Plan 2014 POLICY HD5](#) Built Form

Angmering Neighbourhood Plan 2014 POLICY CLW2 Protection of Local Green Spaces

Angmering Neighbourhood Plan 2014 POLICY TM2 Cycling Walking & Equestrian

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1	Open Space & Recreation Standards
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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.

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 seen as an upgrade to existing facilities, this will promote increase usage of the site and encourage sustainable mean of transport in a safe manner.

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

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

CONCLUSIONS

PRINCIPLE

The primary policies utilised to determine this application will be HWB SP1 of the Arun Local Plan relating to Health and Wellbeing and D SP1 relating to Design, D DM1, Aspects of Form and Design and QE DM2, Light pollution. Policies CLW2, open spaces TM2, Cycling, Walking and Equestrian, and HD5, Built Form from the Angmering Neighbourhood Plan (ANP) Paragraphs 92(b) and 100 of the NPPF relate to the provision of safe and healthy spaces which are safe and accessible so that crime and disorder do not effect the quality of life for residents and users of the public right of way (PRW).

DESIGN AND SETTING

It is proposed to install 11, 6m high lamp posts to the North South route through Mayflower Way. The proposed lamps will use solar power and be of a similar appearance to other street lamps in the adjoining areas. The lamps will be 30w LEDs.

The Angmering Neighbourhood Plan states that development adversely affecting the character, setting, accessibility, appearance, general quality or amenity value of the identified local green spaces will not be supported. The proposed development will not adversely impact the setting, character nor the appearance of Mayflower Way Park and it will improve the accessibility in accordance with policies D SP1 of the Arun Local Plan and CLW2 and HD5 of the ANP.

HEALTH AND SAFETY

Policy HWB SP1 states that development shall be designed to maximise the impact it can make to healthy communities by providing the necessary infrastructure to encourage physical exercise and the development will be located in easily accessible areas. Mayflower Park is located in an ideal position on the outskirts of Angmering between the main roads of the A259 (to the south) Roundstone Lane (to the east) and the housing development of Brambley Green (to the north). The Park provides a footpath running north south, which links the major residential areas of the South of Angmering and the train station, with the main body of Angmering to the North and the local high school. The lighting of the footpath will increase the paths usage outside of daylight hours and therefore promote healthier more sustainable communities in accordance with Policy HWB SP1 of the Arun Local Plan.

Angmering Neighbourhood Plan goes on to state that support will be given to proposals which increase or improve the network of cycle ways, footways and footpaths. The provision of lighting to the main North south route through the park will improve the footpath network by increasing safety for its users. The proposed lights accord with policy TM2 of the ANP and paragraph 92(b) of the NPPF.

RESIDENTIAL AMENITY

During the course of this application, plans have been amended to alter the location of the most northerly 4 lamp post from the east side of the path to the west. These lamps are the only posts located adjacent

to the residential properties in this locality. The proposed posts will now be located approximately 23m away from the rear elevation of the properties in Parsons Close. A lighting scheme has accompanied this application and shows the lamps have been designed to light up the 2m width of path over a 25m length. Environmental Health raised no concerns relating to light pollution as such the proposal complies with D DM4 and QE DM2 of the Arun Local Plan.

CONCLUSION

The provision of lighting to the footpath linking important area of the village is seen as an upgrade to existing facilities, this will promote increase usage of the site and encourage sustainable means of transport in a safe manner in accordance with Policy HWB SP1 and D SP1 of the Arun Local Plan, policies CLW2, HD5 and TM2 of the ANP and paragraphs 92 and 100 of the NPPF.

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 Plan Jan 22
- 3x Block Plans
- Solar LED Street Light Specification
- Lamp Column Dwg.
- Lighting Specification

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies HWB SP1 of the Arun Local Plan, policies CLW2 and TM2 of the ANP and the NPPF.

3 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.