

Recommendation Report for Planning Permission

REF NO: A/64/26/PL

LOCATION: Worthing Rugby Club
Roundstone Lane
Angmering
BN16 4AX

PROPOSAL: Proposed change of use of ancillary grassland and siting of mobile sauna unit.
This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site within the grassland surrounding Worthing Rugby/Football Club, north of the clubhouse and other outbuildings.
CHARACTER OF LOCALITY	Sports/recreation and residential uses within the wider area.

RELEVANT SITE HISTORY

A/146/24/A	Installation of 1 No. sign.	ApproveConditionally 01-10-24
A/180/24/PL	Proposed installation of 4. No Padel Courts with perimeter fencing and glazing onto existing car park. This application is in CIL Zone 2 (Zero Rated) as other development.	ApproveConditionally 11-12-24
A/104/22/PL	Replace existing roof with mono-pitch roof and associated works. This application is in CIL Zone 2 (Zero rated) as other development.	ApproveConditionally 13-07-22
A/101/22/PL	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.	ApproveConditionally 03-08-22

A/96/21/PL

Installation of Portakabin building to be used as additional teaching area. This site is in CIL Zone 2 (Zero Rated) as other development.

ApproveConditionally
20-08-21

Relevant planning history noted.

REPRESENTATIONS

Angmering Parish Council - No objection, request for temporary permission.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted, temporary permission would not be justified as the application seeks the change of use of the land and the sauna design is indicative at this stage.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENTAL HEALTH - No objection.

POLICY CONTEXT

Within Built-Up Area Boundary.

Existing Open Space.

CIL Zone 2.

Asset of Community Value.

DEVELOPMENT PLAN POLICIES

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

TSP1	T SP1 Transport and Development
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
DDM1	D DM1 Aspects of form and design quality

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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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, 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 comply with relevant Development Plan policies in that it would not result in adverse harm upon the appearance or character of the the area or unacceptable noise and disturbance to neighbouring properties.

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.

CONCLUSIONS

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the change of use of ancillary grassland within Worthing Rugby/Football Club (Class F2(c)) for the siting of a mobile sauna unit (Sui Generis).

The provision of a sauna within an established sports and recreation facility is compatible with the existing context and would not appear out of place. As no permanent built structure is proposed, the development would not materially alter the character or appearance of the site.

The proposal would not harm visual amenity or the character of the area and is therefore in accordance with Arun Local Plan policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The application site comprises a small area of land north of the main clubhouse. It is approximately 193m from the boundary with Roundstone Lane, approximately 197m from the rear boundary adjoining the A280, and approximately 90m from the nearest dwelling to the north. Given these substantial separation distances and the nature of the proposed use, the development would not give rise to any unacceptable overbearing, overshadowing or overlooking impacts. The proposal is therefore in accordance with Arun Local Plan policy D DM1 would preserve existing residential amenity.

Policy QE SP1 of the ALP requires development to contribute positively to environmental quality and avoid significant adverse effects on residential amenity. Although the proposal would intensify the use of

land currently comprising ancillary grassland, the increase would be limited when considered in the context of the wider use of the Rugby/Football Club. The proposed operating hours are 07:00-22:00 Monday to Saturday and 08:00-19:00 on Sundays and Bank Holidays, consistent with those of the padel court approved under application A/180/24/PL. A condition is attached to this effect, preventing the sauna use outside of these hours in order to preserve the residential amenities of nearby residential dwellings. While no acoustic reports have been submitted, it is acknowledged that typical sauna usage is materially quieter in nature to that of the nearby approved padel courts and Environmental Health have provided no objection to the application.

The proposal would not harm neighbouring residential amenity and therefore accords with ALP policies QE SP1 and D DM4.

PARKING

The site is served by an established car park. Given the session-based booking system, the proposed use would not be expected to generate a significant increase in vehicle movements. The site is also sustainably located within an established sports and recreation facility.

The proposal therefore accords with ALP policy T SP1.

SUMMARY

The proposal is in accordance with the relevant development plan policies and is therefore recommended for approval.

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

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 not CIL liable.

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
 - Block Plan
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and QE SP1.
- 3 The mobile sauna situated on the land subject to the change of use shall only be in use between 7:00 - 22:00 from Monday to Saturday and shall only be used between 8:00 - 19:00 on Sundays and Bank Holidays, and at no other times.

Reason: To preserve the residential amenities of nearby residential dwellings and the character of the area in accordance with Arun Local Plan policies D DM1, QE SP1 and QE DM1.
- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 5 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 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 NPPF.