

Recommendation Report for Planning Permission

REF NO: BE/81/19/PL

LOCATION: Community Centre
Chalcroft Lane
Bersted
PO21 5TU

PROPOSAL: Proposed conversion of existing store to hall/meeting room & proposed side extension as replacement store

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed conversion of the existing garage/store room to a hall/meeting room and the erection of a side/rear extension forming a new garage/store room. The extension would be single storey, have a dual-pitched roof, be 6m in depth and 6m in width, and would be constructed with brickwork elevations, interlocking concrete tiles and uPVC brown doors to match the existing community centre building. It is proposed to have a new path surrounding the perimeter of the new extension which would be constructed in black tarmac.
SITE AREA	415sqm.
TOPOGRAPHY	Predominantly flat.
TREES	There are two silver birch trees in close proximity of the location of the proposed extension, which the drawings indicate are to be retained. There are no trees that are subject to Tree Preservation Orders which would be affected by the proposals.
BOUNDARY TREATMENT	To the front of the community centre the frontage is open to the access road to the car park. To the north east of the building there is open timber post fencing approx. 1m in height, to the south west side there is a line of trees, and to the rear of the building there is a large expanse of open space/playing field.
SITE CHARACTERISTICS	The site consists of a detached, single storey community centre 'North Bersted Community Centre', on Tara Perry Close off Chalcroft Lane. The building has reddish brown brickwork, brown window and door frames, and a dark brown tiled roof. In front of the building runs a grass verge and access road, to the side there is a car park and childrens playground, and at the rear there is open space and a playing pitch 'Jubilee Recreation Ground'.
CHARACTER OF LOCALITY	The area is largely residential in character, within the Built Up Area Boundary of North Bersted. The site is located within the Bersted Neighbourhood Plan Area.

RELEVANT SITE HISTORY

BE/188/87	Extension to community centre hall	ApproveConditionally 08-02-88
BE/100/11/	Installation of 2no solar hot water panels on south slope of porch roof	ApproveConditionally 13-09-11
BE/173/15/PL	Single storey rear extension to hall	ApproveConditionally 22-01-16

Extension was approved in 2015.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bersted Parish Council
Support application.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Council's Economic Regeneration: no comment.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary - Countryside

Open Space

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
SDSP3	SD SP3 Gaps Between Settlements
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
HWBSP1	HWB SP1 Health and Wellbeing
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ENVDM4	ENV DM4 Protection of trees
TSP1	T SP1 Transport and Development

<u>Bersted Neighbourhood Plan 2014 Policy CLW3</u>	Sport and Leisure Provision
Bersted Neighbourhood Plan 2014 Policy CLW6	Local Green Spaces
Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development
Bersted Neighbourhood Plan 2014 Policy ES2	Surface water management
Bersted Neighbourhood Plan 2014 Policy ES3	Protecting the Strategic Gap/Green Infrastructure Corridor
Bersted Neighbourhood Plan 2014 Policy ES6	Protection of trees
Bersted Neighbourhood Plan 2014 Policy ES7	Development outside of the Built Up Area Boundary
Bersted Neighbourhood Plan 2014 Policy HDQ8	Car parking

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.

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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Policies CLW6, CLW3, ES1, ES2, ES6 and ES7 of the Bersted Neighbourhood Plan are relevant in the determination of 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 it would have no adverse impact on the visual amenity of the area, the residential amenity of neighbouring occupants, parking, drainage, trees nor ecology. It would also have a benefit in that it would result in an enhancement to existing community facilities. In this respect, the proposals would accord with policies in the NPPF, Arun Local Plan and Bersted Neighbourhood Plan. The proposal would, however, be sited outside of the Built Up Area Boundary and also result in the loss of public open space, which would be in conflict with policies C SP1 (Countryside) and OSR DM1 (Open space, sport, recreation) of the Arun Local Plan and policies ES7 and CLW6 (Local Green Spaces) of the Bersted Neighbourhood Plan.

OTHER MATERIAL CONSIDERATIONS

The proposal would conflict with policies C SP1 and OSR DM1 of the Arun Local Plan and CLW6 of the Bersted Neighbourhood Plan. However, the fact that the proposals would result in a community benefit due to the enhancement to the existing community facilities, which accords with policies in the NPPF, Local Plan policies HWB SP1 and OSR DM1, and policy CLW3 of the Bersted Neighbourhood Plan, is a material consideration in this case, which would warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site lies outside the Built Up Area Boundary and, as such, is defined as being within the Countryside. The proposal meets none of the criteria for permissible development in the countryside as set out in policy C SP1 of the Arun Local Plan. Furthermore, Bersted Neighbourhood Plan policy ES7 states that development outside of the Built Up Area Boundary will not be supported.

Accordingly, the proposal would be in conflict with policies C SP1 and ES7 and cannot be said to be acceptable in principle having regard to the adopted Development Plan. However, paragraphs 91-92 of the National Planning Policy Framework is supportive of community facilities.

STRATEGIC GAP

The site lies in the Strategic Gap. Policy ES3 of the Bersted Neighbourhood Plan states that development within this area will not be supported. Policy SD SP3 of the Arun Local Plan does not encourage development in the gap but this development would not lead to a coalescent of settlements and is therefore acceptable. However, due to the modest nature of the proposal, the development would not compromise the objectives of that policy to retain separation and space between settlements.

LOSS OF OPEN SPACE & ADDITIONAL COMMUNITY FACILITIES

The proposed extension would be sited on part of the grassed playing field adjacent to the community centre. Jubilee Playing Fields and Playground is designated as a Local Green Space by policy CW6 of the Bersted Neighbourhood Plan and covered by policy OSR DM1 of the Arun Local Plan. Proposals for

development of these areas will not be supported and existing open space should not be built on, except in exceptional circumstances. This advice is echoed in paragraph 97 of the NPPF.

The proposal would result in a small loss of existing open space. Notwithstanding this, it is acknowledged that the extension would be modest in size (6m by 6m), be sited on the periphery and would not impinge upon the marked out sports pitch and that the part of the space immediately adjacent to the community centre is not suitable for sports/play in any event. Furthermore, the proposals would result in an enhancement to the existing community facilities through the provision of a larger community meeting space. It is considered that the improvement to the community centre will benefit the local population and this would outweigh the limited harm to the open space. This accords with paragraphs 91-92 and 97 of the NPPF and Local Plan policies HWB SP1 and OSR DM1 which seek to provide/develop and modernise community facilities, and that loss of existing open space where the benefits outweigh the loss of the current use.

VISUAL AMENITY

The extension would match the materials and design of the existing community building, and it would be lower in height and therefore appear sympathetic and subservient in relation to the main building. The development respects the appearance of the building and visual amenity of the area, in accordance with Policy D DM4 of the Arun Local Plan and ES1 of the Bersted Neighbourhood Plan.

RESIDENTIAL AMENITY

The extension would be sited at a significant distance from nearby residential properties and would therefore have no impact on the residential amenity of these occupants, in accordance with Policies D DM1 and D DM4 of the Arun Local Plan.

PARKING

There is an existing car park to the front of the community centre which provides around 17 spaces. This is shared with the adjacent children's playground and playing field. The community centre would have a total size of 415sqm. The WSCC Parking Standards require a maximum of 19 spaces for a 415sqm community use. There is therefore a small shortfall in parking provision. However, the site is in a sustainable location within walking distance of surrounding residential areas. It is therefore considered the parking levels are sufficient, and would accord with Policy T SP1 of the Arun Local Plan and H DQ8 of the Bersted Neighbourhood Plan.

DRAINAGE

Bersted Neighbourhood Plan policy ES2 requires that proposed developments provide surface water management measures. However, in view of the surrounding grassed land, it is not considered that there would be a need for a soakaway as water would drain naturally.

TREES

There are two silver birch trees in close proximity of the location of the proposed extension, which the drawings indicate are to be retained. There are no trees that are subject to Tree Preservation Orders which would be affected by the proposals. Whilst the trees do provide some visual amenity, given they are not protected either by being subject to a TPO or in a Conservation Area, are not of a significant size, and could in any event be felled without the need for tree consents, it is concluded there is no need to protect these trees from development. The proposals would accord with ENV DM4 of the Arun Local Plan and ES6 of the Bersted Neighbourhood Plan.

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: Proposed site plan (005), Existing and Proposed Floor Plans (001), Proposed Elevations (003) and Existing & Proposed Roof Plans (004).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 3 The materials and finishes of the external walls, roof and window/door frames of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.
- 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.