Recommendation Report for Planning Permission

REF NO: BR/109/23/PL

LOCATION: The Regis School Campus
Westloats Lane
Bognor Regis
PO21 5LH

PROPOSAL: **Refurbishment of a 3G Football Turf Pitch (3G FTP) and associated features including replacement of artificial grass pitch surface (3G football turf), replacement 4.5m high ball stop fencing with entrance gates forming an enclosure around the facility, new 1.2m high pitch barriers with entrance gates to the Southern side of the 3G football turf surfaced pitch, new 2.6m high maintenance equipment storage container within the facility enclosure, replacement 15m high floodlight masts (6no.) with LED floodlights (14no.) around the facility perimeter, replacement hard-standing areas around the facility perimeter for player/pedestrian circulation and viewing, portable goals storage, as well as vehicular access. This application is in CIL Zone 4 (zero rated) as other development.**

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to replace and upgrade the artificial grass sports pitch surface, replace the 8no. 15m high flood lights with 6no. 15m high floodlights each with 2no. LED luminaires, replace the perimeter high ball boundary fencing and install a maintenance equipment storage container.
SITE AREA	6515sqm.
TOPOGRAPHY	Predominantly flat.
TREES	None of affected by the proposed development.
BOUNDARY TREATMENT	Mix of 1.6-1.8m high green mesh and close boarded timber fencing to Pevensey Road/Roman Fields. 4m high high ball stop fence around perimeter of sports pitch.
SITE CHARACTERISTICS	School campus is a mix of single, 2, 3 and 4 storey buildings. Some landscaping and hedging on boundaries and in site. Mix of building style, design and materials, from red brick and red/brown tile to grey and cream render. Main access from Westloats Lane. Outlying campus areas are predominantly grassed or, sport pitches with artificial ground.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT SITE HISTORY

BR/94/23/PL	Demolition of existing structure approved under BR/84/15/PL and erection of a new glazed extension. This application is in CIL Zone 4 (Zero Rated) as other development.	ApproveConditionally 19-06-23
BR/84/15/PL	Erection of a conservatory-type structure to existing courtyard.	ApproveConditionally 05-06-15
BR/99/08/	Application under Reg 3 of the Town & Country Planning General Regulations 1992 construction of new 1800 place community college to replace the existing split-site schools, relocation of existing multi-use games courts, improvement to access from Westloats Lane/Frith Rd & construction of new school car park.This application also falls within the parish of Bersted. (This application will be determined by West Sussex County Council)	ApprvdCond-WSCC 29-07-08
BR/57/97	Sports centre including floodlit artificial playing pitch and multi games courts, associated car parking and revised access arrangements (This application will be determined by the West Sussex County Council)	DPC - WSCC 25-07-97

Relevant planning history noted.

REPRESENTATIONS

Bognor Regis Town Council - no objection.

No representations received from nearby residents.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Sports England - no objection, two conditions recommended re: community use agreement and FIFA (or equivalent) certification of replacement artificial grass.

Environmental Health - no objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The conditions recommended by Sport England are unreasonable given this is the refurbishment of an existing sports facility.

POLICY CONTEXT

Built Up Area Boundary
2km of SSSI - Bognor Reef
Pagham Harbour Zone B

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution

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, 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 have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

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

PRINCIPLE

The key policies considered are D DM1, QE DM1, QE DM2 and OSR DM1 of the Arun Local Plan.

Bognor Regis has a made Neighbourhood Plan however none of the policies are relevant to this application.

DESIGN & VISUAL AMENITY

The site is an existing 3G Football Turf Pitch (3G FTP) in the grounds of The Regis School Campus. The 3G FTP was installed in 2010 and is in an aged condition in need of modernisation. The development seeks to replace the artificial grass surface, floodlights, fencing and surrounding hardstanding areas. The installation of a storage container is sought.

The existing sports pitch has a 4m high stop ball perimeter fence and 4no. 15m high HID floodlights on the east and west sides (8no. in total). The development seeks to install a 4.5m high ball stop perimeter fence, with vehicular and pedestrian entrance gates, and 3no. floodlights on the east and west sides of the pitch (6no. in total). Within the 4.5m high perimeter fence would be a hardstanding area for pedestrian circulation and viewing enclosed by a 1.2m high steel mesh pitch barrier.

The storage container would be 2.6m high x 6.1m deep x 2.5m wide and be sited in the northeast corner of the site. The container would not be obtrusive within this setting.

The development will have little visual impact on the character of the area given the use of the site is the same as what is proposed, and the scale of the site is not intensified or expanded. Visually, the development is acceptable and standard for a sports facility it complies with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The campus is in a predominantly residential area with the nearest property boundaries located approximately 42m away on Roman Fields and 82m away on Stroud Green Drive.

There are no changes to the operational hours or, activities on the site and therefore the noise levels associated with the site are not expected to increase above that which is already achieved from the existing use of the site.

The replacement fencing is similar to what exists and will not result in any overbearing or overshadowing effects given the separation distances and mesh materiality.

The 6no. floodlights will be 15m high and mounted with 2no. LED luminaires per mast (12no. in total). The design of the floodlights and the LED technology results in the light being directly downwards onto the sports pitch and not over illuminating the surrounding area. Spill light and back light is minimised and contained within the school grounds. The ability to individually programme the floodlights allows for the appropriate area of pitch to be illuminated as required which further minimises light pollution.

The floodlights are stated as being designed to satisfy the requirements within BS 12193:2018 'Light and Lighting - Sports Lighting' in accord with QE DM2 of the Arun Local Plan.

Environmental Health have been consulted and have no objection to the proposal.

The development is not considered to result in harm upon residential amenity and is in accordance with D DD1(3), QE DM1 and QE DM2 of the Arun Local Plan.

HEALTH & WELLBEING

Policy OSR DM1 of the Arun Local Plan sets out protection to existing open spaces including school playing fields. It includes criteria which must be adhered to for a proposal to be acceptable.

The proposal is for the modernisation of an existing sports pitch and will not result in the loss of existing playing fields or other sports pitches. Sports England have been consulted and raised no objection to the proposal but have recommended conditions to secure community usage and to test pitch quality to allow competitive matches.

The proposal complies with policy OSR DM1 in that existing open space is preserved and outdoor sports facilities are bettered.

SUMMARY

The proposed development is deemed to comply with relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

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 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, assessments and documents:

S22-231 DWG 0001.00 LOCATION PLAN
S22-231 DWG 0002.00 EXISTING FLOOR PLAN
S22-231 DWG 0003.00 PROPOSED FLOOR PLAN
S22-231 DWG 0004.00 PROPOSED LAYOUT
S22-231 DWG 0005.00 PROPOSED FENCING
S22-231 DWG 0006.00 PROPOSED SPORTS AREA LIGHTING
S22-231 DWG 0007.00 PROPOSED ELEVATIONS
S22-231 DWG 0008.00 PROPOSED ELEVATIONS
S22-231 DWG 0009.00 PROPOSAL VISUALISATION
S22-231 DWG 0010.00 PROPOSAL VISUALISATION
S22-031 DWG 0011.00 BLOCK PLAN

09373-1 UTILITY SURVEY

S22-231 DESIGN AND ACCESS STATEMENT WITH PLANNING STATEMENT
LIGHTING STATEMENT 26-04-23

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 hours of operation of the floodlighting shall be retained in perpetuity in accordance with the following document unless an application to vary the hours of operation and written approval is obtained from the Local Planning Authority.

S22-231 DESIGN AND ACCESS STATEMENT WITH PLANNING STATEMENT

Reason: In the interests of amenity and the environment in accordance with policies QE DM2 and D DM1 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.