

Recommendation Report for Planning Permission

REF NO: BR/137/26/PL

LOCATION: Bognor Regis Sports Ground
Hawthorn Road
Bognor Regis
PO21 2UW

PROPOSAL: Replace existing 1.8m wooden fence with new 2.4m green metal twin bar fence. Is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to replace the existing 1.8m wooden fence with a new 2.4m green metal twin bar fence with 2m high privacy netting.

SITE CHARACTERISTICS The site is a football club which is positioned adjacent to Hawthorn Road to the north and Nyewood Lane to the east.

CHARACTER OF LOCALITY The site is located within a residential area, with some other community and recreational facilities to the south of the site.

RELEVANT SITE HISTORY

BR/39/26/PL	Replacement of existing 1.8m high fence panels along the perimeter of the sports ground (north and east) with a new 3m high green metal twin bar fence. This application is in CIL Zone 4 (Zero Rated) as other development.	Refused 24-06-26
BR/22/26/CLP	Lawful development certificate for the proposed replacement of fence panels to metal fencing.	Withdrawn 18-03-26

Planning history noted.

REPRESENTATIONS

Bognor Regis Town Council - No objection.

76 No. letters of support were received stating that the proposal would:

- Improve the appearance of the boundary and open up sightlines.
- Improve security and safety.
- Reduce need for maintenance.
- Deliver sustainability benefits.
- Better contain stray balls.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATION RESPONSES RECEIVED:

None consulted.

POLICY CONTEXT

Designations applicable to site:

Built Up Area Boundary
Existing Open Space
Tree Preservation Area
Pagham Harbour Zone B
2km Buffer for SSSI

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
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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 complies with relevant Development Plan policies in that it does not harm the visual amenity of the site or the residential amenity of neighbouring occupiers.

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 proposal is for a fence surrounding an existing sports facility within the Built Up Area Boundary. The principle of the development is acceptable in accordance with Arun Local Plan (ALP) policy SD SP2.

DESIGN AND VISUAL AMENITY

The proposed fencing would be positioned along the northern boundary of the site, adjacent to Hawthorn Road and would replace an existing wooden close boarded fence in this location, which is approx. 1.8m high. The proposed fencing would be 2.4m high and would be green mesh fencing, with additional privacy netting to a height of 2m. The solid section of the proposed fencing would be a similar height to the existing. If the netting is well maintained, the proposed fencing could be a visual improvement on the existing.

Whilst the overall height of the fencing would be higher than the existing, the proposed additional height would have an open mesh design and would not be visually prominent. Whilst the fencing inevitably forms a prominent feature of the street scene in this location, the proposed height and design minimise impact, and the fence would not be overly dominant. The proposals would not harm the character and visual amenity of the area, and the proposals are in accordance with ALP policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The fence is located on the northern boundary of the sports field, adjacent to Hawthorn Road. The fence does not adjoin any residential neighbours, and would not impact neighbouring amenity. therefore there is no conflict with Policy D DM1.

SUMMARY

The proposals are in accordance with the relevant development plan policies and are 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

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 and documents:

- Location Plan 15/03/26.
- Block Plan PB 26023-002 Rev A.
- Fencing Elevations PB 26023-001 Rev C; and
- Biodiversity Enhancement Statement 29/07/26.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 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).

- 4 **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.