

Recommendation Report for Planning Permission

REF NO: BR/16/21/PL

LOCATION: St Marys Roman Catholic School
Glamis Street
Bognor Regis
PO21 1DJ

PROPOSAL: Erection of trim trail items, concrete games area, a MUGA (Multi Use games Area) with an artificial grass pitch, Daily Mile Track and Clamber Stack. This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a concrete games area, a multi use games area and daily mile track.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	The site is occupied by St Marys Catholic Primary School, with the rear of the site forming a playing field.
CHARACTER OF LOCALITY	The locality is predominantly residential adjacent to the town centre.

RELEVANT SITE HISTORY

PAA/85/20/	Proposal to install a MUGA, Daily Mile track and Forest Climber/Clamber Stack on our school field.	Approve Pre App 28-09-20
BR/159/05/	Infill extension to provide new group room	ApproveConditionally 06-07-05
BR/63/03/	To provide additional accommodation within existing building line.	ApproveConditionally 10-04-03

Noted.

REPRESENTATIONS

Bognor Town Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - no additional pupil numbers are proposed as a result of the modifications and additions. The construction of the MUGA, track and Clamber Stack may see an increase in larger construction vehicles visiting the site. A comprehensive construction management plan should be submitted to show that users of the highway network and pupils will not be detrimentally affected. It should also set out how deliveries will be made. A condition can be secured detailing these matters.

Sports England

2.2.21

- Submit a holding objection. There is insufficient information to determine the proposal. A detailed block plan drawing is required to demonstrate that the proposed daily mile track and the forest climber do not impinge on existing pitches.

Following this the applicant provided a block plan and Sports England were re-consulted.

2.3.21.

- The proposed MUGA is not to a recognised size and there is an existing MUGA on site. The applicants have not sought to justify the sub-sized MUGA. The daily mile splits in two a large playing field reducing the size of playing pitches. The forest climber-clamber stack is deep into playing field and is impedes playing pitch layout. In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF.

17.3.21

Following discussions with the applicant and a revised plan, Sport England do not raise an objection to the proposal and is satisfied that the proposed development meets exception 2 of our playing fields policy, in that: 'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The pre commencement condition has been agreed.

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
QEDM1	QE DM1 Noise 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 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

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 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 AND VISUAL AMENITY

The proposal seeks various additions to the site, including a Multi Use Games area which will consist of an artificial grass pitch. The MUGA is to be located to the northern western elevation of the site. A daily mile track is to be sited around the existing field with the clamber stack nearby to the east.

The structures are not considered excessive in scale and would have an acceptable visual appearance given the existing use of the site.

The additions are largely hidden from the view of the street scene and are considered to comply with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Arun District local Plan Policy D DM1(3) indicates planning permission will only be granted where it has minimal impact on the users or occupiers of nearby land. This would be avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

Regard should be had to paragraph 127 of the NPPF which states: "Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

ALP policy QE DM1 states that:

"Developers proposing new noise generating development must seek advice from an early stage to determine the level of noise assessment required.

The additions are sited to an existing field where school where activity would already take place. The use of the field is likely to have allocated times such as during lunch break and it is not considered the addition of the MUGA, mile track and clamber stack would create levels of noise over and above that which is already achieved from the existing use. The siting of the MUGA and clamber stack are also not considered to result in harm upon amenity.

It is not considered that the additions would result in an increase in noise above that which is already achieved and as such the additional structures are not considered to result in additional harm to neighbouring amenity in accordance with D DM1 (3) of the Arun Local Plan.

OPEN SPACE PROVISION

Policy OSR DM1 of the Arun Local Plan 2011-31 (ALP) 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.

Due to the siting of the MUGA, mile track and clamber stack, they do not appear to encroach onto the existing playing field. Sports England have been consulted and following amendments to the plan, have no objection to the proposal stating 'the proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

The proposal complies with this policy.

SUMMARY

The proposed development is deemed to accord 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.

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 - DP/V/1257/P3
 - Layout Plan - 17-3-21
 - Go Play Statement

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 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall included details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access ion accordance with 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.