

Recommendation Report for Planning Permission

REF NO: BR/18/19/PL

LOCATION: South Bersted Church Of England Primary School
Church Lane
Bognor Regis
PO22 9PZ

PROPOSAL: Construction of Multi Use Games Area. This application may affect the setting of listed buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for the construction of a Multi use Games area on an existing school field.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is secured by a mixture of fencing, walls and large trees.
SITE CHARACTERISTICS	The site consists of South Bersted Church of England Primary School and totals 15,867 sqm, surrounded on all sides by residential developments. It should also be noted that 3No. properties to the South of the site and are Listed Buildings.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

Bognor Regis Town Council: No objection received from Bognor Regis Town Council.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Conservation Officer
Environmental Health

CONSULTATION RESPONSES RECEIVED:

Environmental Health: After discussions with Environmental Health, it is considered that a noise condition relating to hours of use would not be considered necessary at this time.

Engineers Drainage: No response received.

Conservation Officer: No response received from the Conservation Officer.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

- Built up area boundary.

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
SDSP2	SD SP2 Built-up Area Boundary
QEDM1	QE DM1 Noise Pollution
HERDM1	HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated with the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies as stated in SD SP2 of the Arun Local Plan.

In this case the key policy of the Arun Local Plan is deemed to be D DM1, QEDM1 and HER DM1.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public Realm, Layout, Public Art, Density and Scale.

Policy SD SP2 of the Arun Local Plan states that development should be focussed within the Built up Area Boundary and will be permitted subject to consideration against other policies in the Local Plan.

Policy OSR DM1 of the Arun Local Plan relates to open space, sport and recreation. The policy states that existing open space, outdoor and indoor sport, community, arts and cultural facilities should not be built on or redevelopment unless the development is for an alternative open space, sports, community, arts or cultural provision and the needs for which clearly outweigh the loss.

Policy QE DM1 of the Arun Local Plan considers noise pollution.

Policy HER DM1 relates to the protection of Listed Buildings. It states that proposals affecting Listed Buildings will be required to preserve or enhance the historic character, qualities and special interest of the buildings and to protect and where possible enhance the setting of a Listed Building.

Bognor Regis Town Council do have Neighbourhood Plan however none of the policies are deemed relevant to this application.

There is no relevant site history.

SITE

The site for this development is located to the east of the existing Primary school building. The proposed Multi Use Games Area is proposed to be sited on the existing school field adjacent to an existing tarmac playground.

DESIGN AND VISUAL AMENITY

The application seeks permission for a Multi Use Games Area. The Multi Use Games Area will be a proposed length of approximately 19.4m and a depth of 11.4m. The proposal will be enclosed by rebound mesh fencing that will stand to an approximate height of 1.2m and at its highest 3m. The proposed Multi Use Games Area will result in a loss of approximately 209sqm, however this is considered to be modest in comparison with the total area of the overall site. Therefore, given the size and design of the proposal it is considered to be in accordance with policy D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal will be located approximately 19m to the Eastern boundary of the site, 61m to the Southern boundary and 8M to the Northern Boundary. Given the use of the proposal there could be the possibility of an increase in noise, however, it is not considered that this would cause an adverse impact given the area is already used as an playing field. The proposed Multi Use Games Area will be used during school hours and term time only with occasional evening and weekend usage. Given the distances between the proposal and the nearest residential dwellings it is not considered to give rise to any additional adverse impacts on the local residents.

Policy OSR DM1 of the Arun Local Plan relates to open space, sport and recreation. The policy states that existing open space, outdoor and indoor sport, community, arts and cultural facilities should not be built on or redevelopment unless the development is for an alternative open space, sports, community, arts or cultural provision and the needs for which clearly outweigh the loss. The proposal of an Multi Use Games Area is considered to improve the use of the open space and therefore considered to meet these requirements and accord with policy OSR DM1 of the Arun local Plan.

It should also be noted that 3No. properties to the South of the site that are Listed Buildings and as part of the application we must assess if there will be any negative impacts on them due to the proposal. Although the proposal does not enhance the setting of the listed Building, given the distance from the proposal to the Listed buildings it is not considered to cause a detrimental impact on the neighbouring properties and is therefore considered to be an acceptable addition and therefore complies with Policy HER DM1.

CONCLUSION

Overall, taking into account that the new play area is sited on an existing school field and will cause no additional overlooking, it is not considered to have a significant detrimental impact onto the character of the area. Therefore, it is deemed to be in accordance with policies D DM1, HER DM1 and QEDM1 of the Arun Local 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 location plan J9595-000
 - Proposed site plan J9595-001
 - Proposed Muga plan J9595-002
 - Proposed Muga elevations J 9595-003
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 **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.