

Recommendation Report for Planning Permission

REF NO: BR/198/25/PL

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

PROPOSAL: Installation of a four-lane outdoor caged cricket net facility. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site is an area of grass adjacent to existing sports pitches at The Regis School.
CHARACTER OF LOCALITY	The area is residential in character with some community uses, including the school and nearby allotments.

RELEVANT SITE HISTORY

BR/32/24/PL	Construction of a new entrance and office extension. This application is in CIL zone 4 (zero rated) as other development.	ApproveConditionally 24-04-24
BR/109/23/PL	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.	ApproveConditionally 13-07-23

Planning history noted.

REPRESENTATIONS

Bognor Regis Town Council - No response received.

7 objections were received from nearby occupiers, raising concerns that:

- The nets are to be located directly behind residential properties and may result in additional adverse noise impacts.
- Residential already suffer light and noise pollution due to the existing facilities at the school.
- Development may result in additional light pollution.
- Risk of damage to properties.
- There are sufficient sports facilities already within the area.

COMMENTS ON REPRESENTATIONS RECEIVED:

No additional lighting is proposed as a result of the current application, and so light pollution is not considered further in this report. The cricket lanes are enclosed with ball stop netting, and the proposal should not result in damage to nearby properties. Noise impacts are addressed in the conclusions.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ECOLOGIST - No objection subject to condition securing Biodiversity Net Gain (BNG) measures.

ENVIRONMENTAL HEALTH - No objection.

SPORT ENGLAND - No objection.

ADC DRAINAGE ENGINEERS - Objection.

- The proposed runoff destination is a soakaway. However, no infiltration testing or evidence to demonstrate the base of the soakaway would be minimum 1m above winter high groundwater levels has been provided to demonstrate the feasibility of the solution. The runoff destination is not currently in accordance with the requirements of the NSfS.
- Evidence has not been provided to justify the lack of interception drainage proposed as part of the sustainable drainage design. Interception drainage is not currently in accordance with the requirements of the NSfS.
- Calculations have not been provided to demonstrate the effectiveness of the proposed drainage system for large return period storms. The development may therefore increase runoff from the development. There is an area of High and Medium surface water flood risk within the area of works which may affect the ability of the drainage system to effectively drain the paved area. This is not currently addressed in the submission.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in the conclusions.

POLICY CONTEXT

Designation applicable to site:
Built Up Area Boundary

Pagham Harbour Zone B
Surface Water Flood Risk

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
OSRDM1	Protection open space, outdoor sport, comm, rec facilities
HWBSP1	HWB SP1 Health and Wellbeing
ENVDM5	ENV DM5 Development and biodiversity
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, 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 conflict with with a Development Plan policy related to drainage.

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 other material considerations to be weighed in the balance with the Development Plan which are discussed below.

CONCLUSIONS

PRINCIPLE

This application seeks the provision of a four-lane cricket facility, at a school. The proposal relates to

improving opportunities for sport and recreation, which is identified in NPPF paragraph 103 as important for the health and well-being of communities. The development is acceptable in principle, subject to compliance with relevant development plan policies.

DESIGN AND VISUAL AMENITY

The cricket lanes will be adjacent to existing sports pitches and facilities. The wickets will cover an area of 14.6m by 35m and will be enclosed by a frame and netting which will be 4m high. The wickets will not be easily visible from the public realm, but will be visible from neighbouring dwellings and from within the school site. The wickets infill an area at the edge of the existing group of sports pitches, and existing sports pitches in this location are enclosed by various forms of netting and fencing. Whilst the netting is substantial in height, the material will not be solid, and the structure would not appear incongruous within its context. The wickets will not harm the character or visual amenity of the area, and are acceptable in accordance with Arun Local Plan (ALP) policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The site is approx. 12m from the rear boundaries of the closest properties to the site, which are on Roman Fields to the south. The proposals would not impact these properties by way of overbearing or overshadowing. Concerns have been raised regarding increased noise as a result of the development. Environmental Health were consulted in this respect, and raised no objection. No additional lighting is proposed, and so the pitch would not be used during hours of darkness unless there is light overspill from the existing sports pitch. The wickets are to be orientated so that users will bowl from the southwest towards the northeast, and so most noise would be generated at the end of the facility which is furthest away from neighbouring housing. Users of the nets could also make noise when having conversations/receiving coaching etc. Given the proximity of other similar uses, any additional noise as a result of the proposed four lane cricket facility would not so significant as to result in unacceptable noise impacts on neighbouring residents. As there is no lighting an hours of operation condition is not proposed as it could not be safely used beyond the hours of darkness. The application is acceptable in accordance with ALP policies D DM1 and QE DM1.

ECOLOGY AND BIODIVERSITY

This application is subject to statutory BNG, which requires all applications to provide a 10% increase in BNG. The small sites BNG metric has been provided, and the proposals achieve an increase of 11.39% according to this metric. The increase is to be provided via tree planting, and a BNG condition has been attached to secure this. The proposals are in accordance with ALP policy ENV DM5 which requires developments to improve on site biodiversity.

DRAINAGE AND FLOOD RISK

The development has an area of 14.6m by 35m and will affect drainage. ADC Drainage Engineers have objected on the basis that the runoff destination, interception drainage and management of extreme rainfall and flooding are not in accordance with the National Standards for Sustainable Drainage Systems (NSfS). The development proposes infiltration via soakaways, however no groundwater monitoring has been conducted to ensure that the base of the soakaway would be minimum 1m above winter high groundwater levels. The information provided on interception drainage and management of extreme rainfall does not meet the standards required by the NSfS.

The area of the facility is 511sqm, across which a fully permeable surface will be installed, with infiltration as the runoff destination. The quantum of development proposed is minimal and provision for surface water drainage has been made in accordance with NPPF paragraph 182. Ordinarily planning permission will not be granted where the applicant has not provided a NSfS compliant drainage strategy. However in this instance, the proposed strategy, scale of the development, lack of impermeable surfacing within the proposal, and nature of the development, where water may be allowed to pool during extreme rainfall events are important considerations. The development remains in conflict with the NSfS, resulting in

conflict with ALP policy W DM1. Given the scale of the development and factors identified above, flood risk and drainage would not be a strong reason for refusal in this instance.

SUMMARY

The proposals are in accordance with the relevant development plan policies apart from W DM1, and provides benefits in terms of improving opportunities for sport and physical activity. The proposal is in conflict with the NSfS. However NPPG ID: 7-059-20220825 sets out that "submissions should contain proportionate information having regard to the nature and scale of the development proposed". Given the nature and scale of the proposal, and its associated benefits, the level of drainage information is sufficient and the conflict with the NSfS is not a strong reason for refusal in this instance. The application is recommended for approval subject to 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 (received 21 January 2026)
- Block Plan
- Block Plan
- Floor Plans and Elevations EEL-828-3379
- Flood Risk Assessment and Drainage Strategy November 2025

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 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

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.