

Recommendation Report for Planning Permission

REF NO: BR/85/20/PL

LOCATION: Bognor Regis Football Club
Nyewood Lane
Bognor Regis
PO21 2TY

PROPOSAL: Replacement of the Football Club's grandstand.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes the demolition of the 350 seater grandstand and replacement with 367 seater grandstand.
SITE AREA	230 sqm.
TOPOGRAPHY	Predominantly flat.
TREES	The site falls in land covered by Tree Preservation Order Bognor Nos. 2 and 7 which comprise blanket TPOs across the site. This includes trees along the southern boundary between the development and adjacent Care Home.
BOUNDARY TREATMENT	To the north is the wider Bognor Regis Football Club which comprises the pitch. To the south is the internal access road, beyond which there are a set of protected trees which fall in the ownership of the adjacent Care Home development. All other boundaries comprise the surrounding Bognor Regis Football Club.
SITE CHARACTERISTICS	Football ground used by Bognor Regis Town Football Club. The site consists of a playing pitch, spectator stands/benches/standing areas, social club, changing facilities and open air car parking.
CHARACTER OF LOCALITY	The football ground forms part of a larger general sporting complex which falls to the north and east of the ground. Residential development consisting of mainly three storey flats lie immediately to the south. This residential development is visually screened by the tree belt along the southern boundary of the site. A care home and surgery are located to the west.

RELEVANT SITE HISTORY

PAA/28/20/	Bognor Regis Town FC wish to demolish the 70+ year old grandstand and attached seating area and replace it with a modern, purpose-designed replacement. The replacement will be more comfortable, have excellent sight lines and contain a designated accessible & disabled area which we are unable to provide currently.	Approve Pre App 24-03-20
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The new structure will have 367 seats in one building, replacing 354 seats which are spread across two areas. The new building will occupy virtually the same footprint as the area to be demolished and will not impact on the car parking spaces currently provided within the ground. This improvement is needed as the existing stand is no longer fit for purpose and could adversely affect the club's opportunity to progress if it was to gain promotion. Plans of the proposed construction are attached. The company who will build this are Stadium Solutions Ltd, who are recognised as the brand leaders in medium-sized sports club construction. It appears from ADC's website that no fee is required for this Pre-Application Advice form, but if this is incorrect can you please advise me so that I can pay any fee that is required.

Attached:

- plans of proposed stand
- statement to support application

PAA/21/20/	Replace existing 350 seater grandstand.	Approve Pre App 05-03-20
BR/115/09/	Replacement club house	ApproveConditionally 20-08-09
BR/30/06/	New 500 seat spectator stand with changing and community facilities	ApproveConditionally 16-03-06
BR/329/04/	Change of use to combined use of car park area for training of learner motorcyclists.	ApproveConditionally 26-11-04

BR/30/06/PL permitted a 'new 500 seat spectator stand with changing and community facilities' was granted permission by notice dated 16 March 2006.

This approval, although lapsed, approved a larger footprint than the grandstand subject of this enquiry. The external elevations were larger than proposed now and had larger capacity by 150 persons. The development occupied a larger footprint which was materially closer to the southern boundary of the site and the adjacent residential properties.

Whilst this consent has lapsed and would not comprise a 'fall-back position', the Council still give this weight as a material consideration in assessing the acceptability of future applications of this nature in this location.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection.

COUNCILLOR MATT STANLEY

Support - very much welcome the investment in this local sports and community facility.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

- 2km Buffer for Bognor Reef SSSI
- Pagham Harbour Access Management Zone B
- Built-up Area Boundary
- Tree Preservation Order Bognor No.2
- Tree Preservation Order Bognor No. 7
- CIL Charging Zone 4

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees
HWBSP1	HWB SP1 Health and Wellbeing
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QESP1	QE SP1 Quality of the Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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 the principle of development, design, impacts on neighbouring amenity, highways transport and parking, sustainability, protected species and trees are all considered to accord with the policies in the Development Plan and are therefore acceptable.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS**PRINCIPLE**

The application site comprises Open Space as identified by the Arun Local Plan (ALP). Policy OSR DM1 (ALP) supports the retention and upgrading of development that promotes open space, sport and recreation facilities of the District. It requires all development to be consistent with all other Local Plan policies.

The development would promote the health and wellbeing of residents within the District through the ongoing promotion of sporting activities. Policy HWB SP1 (ALP) requires all development to maximise

the impact it can make to promoting healthy communities and reducing health inequalities. It requires particular regard to be had to providing or contributing to the necessary infrastructure to encourage physical exercise and health, including accessible open space, sports and recreation facilities.

On the basis of the above, the Arun Local Plan supports development of this nature in principle. However, Section 38(6) of the Planning and Compulsory Purchase Act 2006 (as amended) requires development to be balanced against other material considerations. The National Planning Policy Framework (NPPF) (2019) is a material consideration for the purposes of determining a planning application.

Paragraph 83 (NPPF) states planning decisions should enable the development of accessible local services and community facilities such as sports venues and open space. Paragraph 91 (NPPF) states planning decisions should aim to achieve healthy places by providing sports facilities. Paragraph 92 (NPPF) states to provide the social, recreational and cultural facilities and services the community needs, planning decisions should (a) plan positively for the provision of sports venues and open space, (d) ensure that established facilities are able to develop and modernise and are retained for the benefit of the community. Paragraph 97 (NPPF) supports the development of existing open space, sports and recreational buildings where the development is for alternative sports and recreational provision, where the benefits of which clearly outweigh the loss.

On the basis of the above, the other material considerations are in accordance with the policies contained within the Development Plan. Therefore, development of this nature would be supported in principle.

DESIGN

Policy D SP1 (ALP) requires development to make efficient use of land but reflect the characteristics of the site and local area in their layout, massing, character, materials, finish and architectural details.

The replacement stand would occupy the same footprint as the existing stand. The overall silhouette would remain comparable to that of the existing stand. The stand would provide a dedicated section for disabled supporters which would encourage greater accessibility for all members of the community. The stand would be raised an addition 3 feet to provide better viewing for the spectators and such an increase in height would not result in any significant impacts in terms of overall design.

The stand would be cantilevered so no posts would be required to support the stand. This would result in a clearer and lighter appearance within the confines of the Football Club which would reduce the overall visual impact of the stand within the wider area.

Taking the above factors into account, the development would reflect the character of the site and surrounding area and would accord with Policies D SP1 and D DM1 of the Arun Local Plan and paragraphs 127 and 130 of the National Planning Policy Framework.

NEIGHBOUR AMENITY

Policy QE SP1 (ALP) requires development to contribute positively to the quality of the environment and ensure development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) (ALP) requires development to have a minimal impact to users and occupiers of nearby property and land; for example, by avoiding unacceptable noise and disturbance.

Paragraph 127(f) (NPPF) requires planning decisions to create places with a high standard of amenity for existing and future users.

The replacement stand would sit 3 feet higher than that of the existing; however, owing to the tree lining

along the southern boundary of the site, no adverse impacts upon residential amenity would result. This is further balanced with the position that a significantly larger, taller and closer stand was permitted by BR/30/16/PL in closer proximity to the residential dwellings to the south. This development was considered acceptable. Therefore, having regard to the above planning histories, the additional height would not give rise to any material impacts upon neighbouring residential amenity.

Whilst an increase in 17 persons would result from this replacement stand, additional noise impacts would not be so significant to warrant a refusal of planning permission. The development would provide a solid back along its southern elevation. This would ensure any noise generated from users of the stand would not result in significant noise spillage to the south. Further, regard is given to the fact that nearby residential properties are situated in close proximity to a sporting ground where the context/background ambient noise is accepted as not being comparable to a suburban location.

No new lighting is detailed within the submission; however, the imposition of new lighting on the stand could result in additional impacts upon residential amenity which may require controls. Therefore, a condition will be imposed requiring details of the lighting and any hours of operation to be agreed with the Local Planning Authority, prior to its installation. Such a condition will allow the LPA sufficient control to safeguard potential impacts upon nearby residential amenities and would accord with the tests contained within paragraph 55 of the 2019 Framework.

Taking the above factors into account, the development would not result in any significant or demonstrable impacts upon neighbouring amenity in terms of noise, privacy or amenity and therefore accords with Policies QE SP1 and D DM1 of the Arun Local Plan and paragraph 127 of the National Planning Policy Framework.

HIGHWAYS, TRANSPORT AND PARKING

Policy HWB SP1(c) (ALP) requires development to be designed to ensure that cultural facilities are accessible to all residents and visitors to the District. Where new health, recreation and leisure facilities are planned, where possible, these shall be located along public transport corridors that are easily accessible to members of the wider community.

Policy T SP1 (ALP) supports development designed to reduce the need to travel by car by identifying opportunities to improve access to public transport services and which given priority to pedestrian and cycle movements. It requires development to be located within easy access of established public transport service(s), existing pedestrian and cycle networks and key destinations including town centres.

Paragraph 109 (NPPF) states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The development comprises a 367 seat grandstand which replaces an existing 350 seat stand. The increase of 17 additional seats is unlikely to result in cumulative impacts upon highways safety, as this increase in footfall is likely to be accommodated through shared vehicular movements and alternative modes of transport.

Such an increase is unlikely to result in demonstrable impacts upon the safety of the vehicular access points which appear to have operated without issue historically. No objection has been received by WSCC, acting in their capacity as the Local Highways Authority, in their formal consultation response.

Taking the above into account, the limited increase in footfall would not result in severe cumulative impacts on the road network and would therefore accord with Policies T DM1, T SP1 and HWB SP1 of the Arun Local Plan and paragraphs 108 and 109 of the National Planning Policy Framework.

SUSTAINABLE CONSTRUCTION

Policy ECC SP2 (ALP) sets out a 3 point criteria which all new commercial development will be expected to achieve. Criteria (c) requires development to incorporate decentralised, renewable and low carbon energy supply systems, for example, small scale renewable energy systems such as solar panels.

Submitted within the above pre-application responses was an encouragement by the LPA to include such measures. It is noted that such measures have not translated into the submitted plans; though opportunities exist within the southern roof pitch of the grandstand.

Therefore, a condition will be imposed requiring submission and implementation of renewable energy generation prior to the commencement of development to ensure accordance with Policy ECC SP2 of the Arun Local Plan. Such a condition accords with the tests outlined in paragraph 55 of the 2019 Framework. Subject to acceptable details being agreed by way of discharge of condition, the development would fulfil Policy ECC SP2 of the Arun Local Plan.

TREES AND LANDSCAPE

Policy ENV DM4 (ALP) permits development where it can be demonstrated that trees protected by a Tree Preservation Order(s) (TPOs), identified as contributing to local amenity, will not be damaged or destroyed.

The applications site is covered by 2 no. blanket Tree Preservation Orders (Bognor Regis No. 2 & No. 7) which cover the entirety of the site.

The submitted plans do not detail the loss of any existing trees which fall within the Bognor Regis Blanket TPOs Nos. 2 and 7 and would therefore accord with Policy ENV DM4 of the Arun Local Plan.

SUSTAINABLE DEVELOPMENT

Paragraph 7 (NPPF) states the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 (NPPF) outlines the three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. The overarching objectives comprise economic, social and environmental objectives.

The development would promote a visitor destination which would attract new footfall to the area and encourage incidental expenditure in the area (economic objective). The development would support strong and healthy communities by providing investment into the District's open spaces which reflects the community's social well-being (social objective). The development would be located along existing public transport corridors which would make access to the District's sporting facilities via sustainable methods of transport (environmental objective).

On the basis of the above, the development would fulfil the pursuit of sustainable development under paragraphs 7 and 8 of the National Planning Policy Framework.

SUMMARY

This assessment has considered the proposed development against the policies contained within the Development Plan and had regard to other material considerations. It has found that the development accords with the policies contained within the Development Plan and there are no other material considerations that would indicate taking a decision other than in accordance with the Development Plan. Subject to the conditions set out in the accompanying decision notice, planning permission can be approved.

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 site falls within CIL Zone 4 and proposes a football stand. The development would therefore not be subject to Arun District Council's Community Infrastructure Levy.

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:

- Site Plan (received 17 April 2020)
- 1399 004 Rev C Stand GA (Proposed Floor Plan and Elevations)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D SP1 and QE SP1 of the Arun Local Plan.

- 3 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of the development. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 4 No external lighting shall be installed on the development hereby permitted unless otherwise agreed with the Local Planning Authority in writing. Any lighting so agreed shall be installed in accordance with the submitted plans,

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

- 5 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.
- 6 INFORMATIVE: This permission conveys consent under planning legislation only and contravention with other legislation e.g. protection of wildlife etc. should be considered.