

PLANNING APPLICATION REPORT

REF NO: CM/25/09/

LOCATION: Climping Village Hall
Crookthorne Lane
Climping

PROPOSAL: To replace an existing 1.2m high chain link fence with a 4m high chain link safety fence

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed 4 metre high fence extends approximately 137 metres along the western boundary of the site, alongside Church Lane.
SITE AREA	Approximately 2.01 hectares.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	There are a number of medium sized trees aligned with the western site boundary. None of these are covered by a Tree Preservation Order, nor are they within a Conservation Area.
BOUNDARY TREATMENT	There is currently a 1.2 metre high chain link fence following the western site boundary. This has collapsed in places and is rusting.
SITE CHARACTERISTICS	The site is occupied by a Village Hall building with surrounding playing fields including football and cricket pitches with dug-outs and railings for spectators. Is is a designated open space area.
CHARACTER OF LOCALITY	The site is located outside the built-up area and is bordered by main roads to the south and west. Other than the aforementioned roads, the site is entirely surrounded by open arable land.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Climping Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Parks and Landscapes

Consultations responses received:

Parks and Greenspaces:

No objection.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area

Open Space

Class A Road (Crookthorne Lane)

Class C Road (Church Lane)

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	AREA5	Protection of Open Space

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas
PPG17	Sport and Recreation

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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

The proposed fence would replace an existing 1.2 metre high chain link fence on the western boundary. This fence is partially collapsed and largely screened from immediate view by the hedging and trees on and around the boundary.

The proposed replacement fence, at 4 metres in height, will be more than triple the height of the existing. However, as it will be a chain link fence, it will not be a solid feature and, being surrounded by trees and hedging, these will remain the dominant visual feature to the side of the road. The existing trees on the site boundary will be positioned between the proposed fence and the road and, therefore, despite the height of the fence, it is considered that it will remain largely unseen from the road due to this tree screening. It is therefore considered that there will be no adverse impact on the rural character and appearance of the surrounding area.

The value of the existing trees in screening the impact of the proposed fence has been noted. It is also noted that the fence and its footings will be within close proximity of some of the trees on the boundary. The Council's Parks and Greenspaces department has been consulted on this application and have provided no objection to the installation of the fence in its proposed location.

The proposed development is on land which is designated as open space. It is considered that the proposal is associated with recreational development, is in accordance with policy AREA5 of the Arun District Local Plan. It is considered that the proposed taller fence will reduce the chances of stray balls landing on Church Lane which is a Class C Road and will also encourage use of the correct site entrances and exits.

It is considered that the proposal will have no materially detrimental impact on the character and appearance of the surrounding area, and will improve safety levels for pedestrians and road users.

It is therefore recommended that the application be approved, subject to the following conditions.

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 This permission relates to the following approved plans:-

CVH 1a, CVH 1b, CVH 2, CVH 3

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or

being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 4 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 5 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3, GEN7, AREA5

NATIONAL POLICIES: PPS1, PPS7, PPG17

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.