

Recommendation Report for Planning Permission

REF NO: CM/32/19/PL

LOCATION: Clymping Village Hall & Playing Field  
Crookthorn Lane  
Clymping  
BN17 5SN

PROPOSAL: Conversion of area of grassland into a Petanque terrain.

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| <b>SITE AND SURROUNDINGS</b> |
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|                            |                                                                                                       |
|----------------------------|-------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | The application seeks to convert an existing area of open grassland, into a Petanque terrain.         |
| SITE AREA                  | 2.19 ha.                                                                                              |
| TOPOGRAPHY                 | Predominantly flat, although the site slopes up from its South-West corner, to its North-East corner. |
| TREES                      | None of any significance affected by the proposed development.                                        |
| BOUNDARY TREATMENT         | The site is an open patch of land within the borders of the Village Hall.                             |
| SITE CHARACTERISTICS       | The site is an area of open land.                                                                     |
| CHARACTER OF LOCALITY      | The area is rural in character, with existing football, and cricket pitches in the area.              |

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| <b>RELEVANT SITE HISTORY</b> |
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|           |                                                                                                                                                                            |                                  |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| CM/25/09/ | To replace an existing 1.2m high chain link fence with a 4m high chain link safety fence                                                                                   | ApproveConditionally<br>24-12-09 |
| CM/18/04/ | Provision of new disabled accessible wc facilities and increase of bar seating area by means of extending existing building with a single storey extension with flat roof. | ApproveConditionally<br>21-09-04 |
| CM/10/04/ | Installation of log cabin                                                                                                                                                  | ApproveConditionally<br>19-05-04 |

Noted.

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Climping Parish Council

Parish Council - No objection.

1 letter of no objection:

- The game is a healthy and gentle exercise.
- This club would benefit the local area.

2 letters of support:

- The facility would be an addition to the village.
- The facility would benefit the people in the area, socially.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

## CONSULTATIONS

Economic Regeneration

Sport England South East

### CONSULTATION RESPONSES RECEIVED:

Economic Development - No comment.

Sport England - No objection.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

## POLICY CONTEXT

Designation applicable to site:

Outside of built-up area boundary

### DEVELOPMENT PLAN POLICIES

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

|        |                                                             |
|--------|-------------------------------------------------------------|
| CSP1   | C SP1 Countryside                                           |
| DDM1   | D DM1 Aspects of form and design quality                    |
| OSRDM1 | Protection of open space,outdoor sport,comm& rec facilities |
| SDSP3  | SD SP3 Gaps Between Settlements                             |
| SDSP2  | SD SP2 Built-up Area Boundary                               |

[Clympling Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

Clympling Neighbourhood Plan 2015 Policy CPN2 Designation and Protection of Local Green Spaces

**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.

The Neighbourhood Development Plan

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 proposed development is considered to have no significant harm to the character of the locality, or its occupiers. Additionally, in that the proposal is considered to be of an acceptable use, given the application site is outside of the built up area boundary and within the 'Arundel to Littlehampton' Gap between Settlements.

**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 site the subject of this application is located outside the built-up area (policy C SP1) where the countryside protection policies of the Local Plan seek to control development to that justified under particular circumstances. It is considered that the proposal is in accordance with part (b) of this Policy, in that the use is considered to be that of quiet, informal recreation.

The site is within the 'Arundel to Littlehampton' Gap between Settlements, as defined by policy SD SP3. As a result, development would only be permitted if it were not to undermine the physical and/or visual separation of settlements, would not compromise the integrity of the gap, whether individually or cumulatively with other existing or proposed development or cannot be located elsewhere. The aim of this policy is to designate certain land in the District that prevents the amalgamation of settlements, promotes individual identities and retains the general open and undeveloped nature of these gaps. It is

considered that the proposal would be in accordance with this policy, in that it is not considered to be in accordance with part (a) and (b) of the said policy.

Policy OSR DM1 of the Arun Local Plan sets out criteria by which land can be designated as Local Green Space within Neighbourhood Development Plans. The application is designated as Local Green Space within the Climping Neighbourhood Development Plan, and therefore, the proposal would have to accord with Paragraphs 99 and 100 of the National Planning Policy Framework. The proposal is considered to be in accordance with this in that it has no harm to the area as a Local Green Space, as it retains its recreational value. The proposal is also in accordance with CPN2 of the Climping Neighbourhood Development Plan.

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.

#### **DESIGN AND VISUAL AMENITY**

The proposed development is not considered to have a significantly harmful impact upon the character of the area. This is because it is considered to utilise a currently vacant area of land, with a use existing within the local area. Additionally, as a result of the lack of built form of the proposal, it is considered to retain the openness of the area. The proposed development is considered to be in accordance with D DM1 of the Arun Local Plan.

#### **NEIGHBOURING RESIDENTIAL AMENITY**

The proposed development is not considered to give rise to any significantly harmful impact upon local residents, as a result of its lack of built form, and a significant separation distance from local occupiers. Therefore, the proposed development is considered to be in accordance with D DM1(3) of the Arun Local Plan.

#### **PARKING**

Whilst it is considered that as a result of the proposal, there will be an increased demand in parking, there is existing capacity within the area, as a result of the existing recreational use of the site.

#### **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.

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| <b>HUMAN RIGHTS ACT</b> |
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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.

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| <b>DUTY UNDER THE EQUALITIES ACT 2010</b> |
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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 positive impact on the protected characteristics, in that it provides a recreational use for the site that can be used by disabled people.

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| <b>RECOMMENDATION</b> |
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**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:

- Block Plan
- Proposed Layout Plan - May 2019
- Cross Section A:A

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.