

Recommendation Report for Planning Permission

REF NO: FP/12/21/PL

LOCATION: Site 6
Felpham (Blake's Mead
Felpham

PROPOSAL: Addition of 4 No. car parking spaces, to total 32 No. parking spaces, to serve the Community Centre building in lieu of the spaces in the layby.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This planning application is for the provision of 4 additional car parking spaces serving the Community Building. This application originally included the proposed retention of minor alterations to the emergency access gates (FP/239/19/PL) but this element of the application has been withdrawn.
SITE AREA	0.02 hectare.
TOPOGRAPHY	Predominantly flat.
TREES	The residential development at Blake's Mead (Site 6, Felpham) has resulted in the retention of many trees in this part of the development and along the boundaries of the site. Detailed landscape plans have been submitted, approved and implemented in relation to conditions which were imposed on the outline planning permission (FP/92/04) at Blake's Mead.
BOUNDARY TREATMENT	The car park serving the Community Building is enclosed by knee rail fencing.
SITE CHARACTERISTICS	The site adjacent to the Community Building is situated within Phase 3 (also known as Phase C). There are 5 phases in all at Blake's Mead. Blake's Mead is a modern housing estate, located on the northern outskirts of Felpham, bound to the north by the Charles Purley Way (the A259); to the south by existing housing estates including Westmorland Drive; to the east by a recreation ground and beyond by Flansham Lane and Flansham Park; and to the west by farmland and beyond by the Rolls Royce Factory, which is located on the Oldlands Farm site.
CHARACTER OF LOCALITY	The area that surrounds the Community Building is predominantly public open space, sports pitches, a skate park and a Multi Use Games Area (MUGA). The land to the north of the Charles Purley Way (the A259) is agricultural in nature, and includes Chessels Farm.

RELEVANT SITE HISTORY

FP/92/04/	Outline Application for residential development and associated uses forming part of policy site 6. Construction of the Bognor Regis Northern Relief Road from A259 at Felpham to A29 (This application is accompanied by an environmental statement and affects a public right of way)	Called In by DCLG/SD 30-11-04 Appeal: Allowed+Conditions 22-11-06
FP/222/20/NMA	Non-Material Amendment grant of FP/151/11 and amendment FP/83/19/NMA for an additional 4 No. car parking spaces, to total 32 No. parking spaces, to serve the community centre building in lieu of the spaces in the layby.	Refused 25-11-20
FP/151/11/	Application to amend Reserved Matters application pursuant to outline planning permission FP/92/04/ relating to the community building with associated sports pitches, access, parking and landscaping reference FP/166/09/	Approve Conditionally 03-02-12
FP/83/19/NMA	Non-material amendment following the grant of planning permission reference FP/151/11 for 2 disabled parking on-site; and an additional parking space in the lay-by in front of the Community Building.	Approve 25-07-19

The residential development at Blake's Mead is virtually completed.

A 28 space car park has been constructed to serve the Community Building.

REPRESENTATIONS

FELPHAM PARISH COUNCIL:

No objection.

The Parish Council has no further response to make to the amended application.

Three letters of representation have been submitted by local residents objecting to the proposed development on the following grounds:

- This is a confusing application. It is an application for 2 totally separate matters in 2 separate areas of land.
- The first part of the application is for the barrier scheme on Woodlands Way / Westmorland Drive.
- The second part of the application is for additional car parking to serve the Community Building.
- The purpose of the second gate is to prevent parking as it is a dedicated emergency access.

- The removal of the second gate & chicane and replacement with metal bollards would be appropriate.
- Object to any further works being carried out on the monstrosity that is the emergency access gates.
- A meeting is required with residents about the outlook onto the gates and the noise during high winds.
- On 09/03/21 an ambulance was unable to open the barriers and the patient had to walk around the barrier.

COMMENTS ON REPRESENTATIONS RECEIVED:

All planning related comments are noted and covered in the Conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND:

No objection.

LOCAL HIGHWAY AUTHORITY:

No objection to the additional parking spaces to serve the Community Building.

ADC GREENSPACE:

No objection.

SUSSEX POLICE:

No comment to make on the 4 additional car parking spaces to serve the Community Building.

WEST SUSSEX FIRE AND RESCUE SERVICE:

No objection.

The submitted plan indicates sufficient access width for an fire appliance. Information will be required on how the gates will be secured i.e. with a padlock to ensure the Fire Service can gain access in an emergency.

AMBULANCE SERVICE:

Object.

The Ambulance Service has requested the following amendments be made to the emergency access gates:

- Remove the northern most barrier.
- Fit a Paxton Net2 magnetic lock with swipe access, activated by ID cards that all of our staff carry.
- Paint hatched "no parking - emergency access" between current gates.
- Provide Net2 details to WSF&R and Police should they wish to access in this way too.

COMMENTS ON CONSULTATION RESPONSES:

All planning related comments are noted and covered in the Conclusions section of this report.

POLICY CONTEXT

Designation applicable to site:

Within the built-up area boundary (BUAB) in the Local Plan.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#) Design of new development

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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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 revised Felpham Neighbourhood Plan (NP2: 2019-2031) was made on 17th March 2021 and it is referred to as Felpham Neighbourhood Development Plan 2. Relevant Felpham NP2 policies have been taken into account and are addressed in the Conclusions section of this report.

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."

Section 70(2) of TCPA 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, 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.

The provision of 4 additional car parking spaces to serve the Community Building is considered to comply with relevant Development Plan policies and with the ADC Parking Standards SPD.

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 principle of development was established with the granting of outline planning permission (FP/92/04) for residential development and associated uses forming part of Blake's Mead and the construction of the Bognor Regis Northern Relief Road (i.e. the Charles Purley Way) from A259 at Felpham to A29, in August 2005, following a call in inquiry. The reserved matters (FP/151/11) for the Community Building were approved on 3rd February 2012.

EMERGENCY ACCESS GATES

This application originally included the proposed retention of minor alterations to the emergency access gates (FP/239/19/PL) but this element of the application has been withdrawn subject to further discussions with the Local Planning Authority, the Local Highway Authority and the Emergency Services regarding the layout of the gates and access to the houses at Blake's Mead. Given the complexities of the emergency access, which have come to light following discussions with the local ambulance service, a separate application will be submitted in due course, once a suitable alternative has been devised.

ADDITIONAL CAR PARKING SPACES

This amended application is for the proposed provision of 4 car parking spaces, in addition to the existing 28 parking spaces, to make a total of 32 spaces, to serve the Community Building, in accordance with the Section 106 Agreement which was imposed at the outline planning stage (FP/92/04). Paragraph 4.1 of the ADC Parking Standards SPD says "parking for non-residential uses needs to consider the accessibility of the site, the likely demand for parking and the viability of the site".

The provision of the 4 additional parking spaces is required to meet the requirements of the Section 106 Agreement, and paragraph 4.1 of the ADC Parking Standard SPD and the spaces need to be constructed before the Community Building and the open spaces are transferred to Arun District Council for management and maintenance.

SUMMARY

The proposed provision of 4 additional car parking spaces, in addition to the existing 28 parking spaces, to serve the Community Building, is acceptable as it complies with the requirements of the Section 106 Agreement in terms of parking provision and Policy T SP1 of the Local Plan, the ADC Parking Standards SPD and the National Planning Policy Framework.

RECOMMENDATION

It is recommended that this application for planning permission is granted for the provision of 4 additional car parking spaces to serve the Community Building, and that the following conditions be imposed.

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 and retained in accordance with the following approved plans:

 - Drawing No. 001 - Site Plan.
 - Drawing No. FCP001 - Car Parking Area.
 - Drawing No. D110609/CB/SL Rev. E - Community Building Site Layout.
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 Within 3 months of the date of this permission, the car parking spaces hereby approved shall be constructed in accordance with the approved plans. Once provided these spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate on-site car parking for the Community Building, in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.
- 4 **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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.