

Recommendation Report for Planning Permission

REF NO: FP/248/20/PL

LOCATION: Land north of Felpham

PROPOSAL: Revised details relevant to the sport pitch & changing facilities building (previously approved under Y/68/09/). This site also lies within the parish of Yapton & is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	Reserved matters (Y/68/09) have been approved for the provision of a sports facility comprising a senior football pitch, two hard surface five-a-side pitches, a changing facilities building, a 30 space car park and an access road at Blake's Mead. This application proposes revised sports pitch dimensions and location; and revised dimensions and specification for the changing facilities building.
SITE AREA	2.3 hectares.
TOPOGRAPHY	The site is relatively flat with levels ranging from 2.0 metres AOD to 4.0 metres AOD and a general fall from north east to south west, towards the ditch.
TREES	There are a large number of trees on the landscaped bund running along the eastern boundary of the site.
BOUNDARY TREATMENT	A mixture of tree coverage, some contractor fencing and ranch style timber fencing; together with a landscaped bund and acoustic fencing along the eastern boundary of the site with the Charles Purley Way (the A259). The site is bounded to the west by an open watercourse.
SITE CHARACTERISTICS	The site is an open field which is located on the northern edge of Blake's Mead. The field has been used for the stock-piling of top-soil and sub-soil from the adjacent housing development over the course of the last 15 years. Blake's Mead is a modern housing estate of approximately 800 dwellings, located on the northern outskirts of Felpham. The site is located west of the Charles Purley Way (the A259) and is screened from view by a landscaped bund topped by timber acoustic fencing.
CHARACTER OF LOCALITY	The area to the north of the application site and the land to the east of the Charles Purley Way (the A259) is agricultural land. The land immediately west of the site comprises deciduous woodland. The land that has been allocated for the new primary school site is located immediately south of the application site, but the school has not been built yet; beyond which is the new residential estate of Blake's Mead. Blake's Mead includes shops, a community building, associated open

space and play facilities.

RELEVANT SITE HISTORY

FP/103/19/PL	Amendment to Planning Reference Y/68/09 to replace sports pitch with a public amenity area.	Refused 30-04-20
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
Y/68/09/	Reserved matters application pursuant to outline permission FP/92/04 Condition 1 (j) and (l) (part) relating to details of the sports changing facilities, layout of sports pitches, safety fencing	Approve Conditionally 14-01-10

Blake's Mead comprises of five phases of residential development, all of which are virtually completed. The land for the sports pitches and the changing facilities building and the adjoining school site were planned to be complimentary infrastructure, supporting and enhancing the residential development at Blake's Mead.

REPRESENTATIONS

FELPHAM PARISH COUNCIL

No objection.

- Could the verges be grasscrete to allow for overflow parking?
- Is there to be scheduling to ensure that all pitches are not in use at the same time?
- Why is there an office and a kitchen; is this a Sport England requirement?
- Lighting provision is required for the road, car park and pitches.

YAPTON PARISH COUNCIL

Support.

2 letters of objection on the following grounds:

- There have been numerous times when police have been called due to anti-social behaviour.
- Will BDW take responsibility for this area until it is taken over by the management company?
- Could an all-weather facility be created on this site?

COMMENTS ON REPRESENTATIONS RECEIVED:

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

In response to a letter of representation, the District Council will take over responsibility for the changing

facilities building and the sports pitches once the development has been constructed and completed. The developer (BDW) will retain responsibility for this area until it is transferred to the District Council.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

LOCAL HIGHWAY AUTHORITY:

No objection.

ENVIRONMENT AGENCY:

No objection.

A condition is required relating to the finished floor levels of the changing rooms being set 300mm above the surrounding ground levels.

LEAD LOCAL FLOOD AUTHORITY:

No objection.

The majority of the site is at low risk from surface water flooding; high risk exists at the access to the site and in association with the watercourse on the western boundary. The area is shown to be at high risk from groundwater flooding based on current mapping.

ADC DRAINAGE:

No objection.

The drainage proposals have changed to remove the open attenuation basin and to replace it with an underground attenuation tank. The small swale has been extended to obtain the required storage, but the majority of the existing swale is in the easement, which is acceptable. Surface water drainage and levels conditions are requested to be imposed.

SPORT ENGLAND:

No objection.

The proposed amendments to the changing facilities building address the Football Foundation's comments satisfactorily.

ADC NEIGHBOURHOOD SERVICES:

No objection.

ADC ECOLOGY:

No objection.

The lighting scheme for the site would need to take into consideration the presence of bats in the local area. The trees, hedgerows, and marginal vegetation on site would need to be retained and enhanced for bats. A precautionary approach should be taken with regards to reptiles and great crested newts. A condition is required for ecological enhancements.

ADC ENVIRONMENTAL HEALTH:

No objection.

The Construction Management Plan (Rev. B) is acceptable. Conditions should be imposed relating to the submission of a lighting scheme and controlling the hours of construction.

ADC GREENSPACE:

No objection.

The proposed landscaping would blend in with the residential development at Blake's Mead. The

Management Plan setting out implementation and maintenance details is suitable. The boundary fencing and rebound wall details are acceptable. Details of the ball stop fencing should be conditioned.

ADC ARBORICULTURE:

No consultation response was submitted.

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 (the BUAB) within the Arun Local Plan.

Local Open Space and Local Green Space within the Felpham Neighbourhood Plan.

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
ENVDM5	ENV DM5 Development and biodiversity
ECCSP1	ECC SP1 Adapting to Climate Change
HWBSP1	HWB SP1 Health and Wellbeing
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

[Felpham Neighbourhood Plan 2019-31 Policy CLW6](#)

Local Green Spaces

[Felpham Neighbourhood Plan 2019-31 Policy CLW7](#)

Local Open Space

[Felpham Neighbourhood Plan 2019-31 Policy ESD1](#)

Quality of Design

[Felpham Neighbourhood Plan 2019-31 Policy ESD5](#)

Surface Water Management

[Felpham Neighbourhood Plan 2019-31 Policy ESD9](#)

Protection and Enhancement of Wildlife or Ecological Networks.

[Felpham Neighbourhood Plan 2019-31 Policy GA1](#)

Promoting Sustainable Movement

[Felpham Neighbourhood Plan 2019-31 Policy GA4](#)

Parking in New Residential 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
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

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.

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 sports pitches, the changing facilities building, the associated car park and access road are located within a strategic site known as Blake's Mead in Felpham, within the built-up area boundary (BUAB) in compliance with the Development Plan.

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 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 the A259 at Felpham to the A29, in August 2005, following a call-in inquiry. The reserved matters approval (Y/68/09) included the provision of a senior sports pitch and 2 five-a-side football pitches, together with a changing facilities building, 30 car parking spaces, and an access road, all of which were identified on Drawing No. D42/5250/CFB/SL-01 Rev. E - "Changing Facilities Building Site Layout", which was in accordance with the requirements of the Section 106 Agreement imposed on FP/92/04. The current application seeks to amend the layout of the changing facilities building and re-locate the pitches further away from the boundary with the relief road (i.e. Charles Purley Way).

Section 8 of the National Planning Policy Framework (NPPF) states that planning decisions should aim to achieve healthy, inclusive and safe communities. Paragraph 99 of the NPPF (2021) says: "existing open spaces, sports and recreational buildings and land, including playing fields, should not be built on". Reserved matters approval Y/68/09 included the provision of a senior sports pitch and 2 five-a-side football pitches, together with a changing facilities building and 30 car parking spaces, which was in accordance with the requirements of the Section 106 Agreement. The S106 Agreement did not require the pitches to be an all-weather (3G/4G) facility. The current application seeks minor amendments to the siting of the pitches and the changing facilities building. The provision of the proposed sports pitches and the changing facilities building on the site complies with Policy OSR DM1 (1.b) and Policy HWB SP1 of the Local Plan, Policy CLW7 of Felpham NP2 and paragraph 99 of the NPPF (2021); and the development would be a valuable asset to the local residents of Blake's Mead and to the wider community of Felpham as a Local Green Space, which would comply with Policy CLW6 of the Felpham NP2.

KEY ISSUES

The key issues to be considered as part of this application are:

- Do the proposed amendments to the changing facilities building and the pitches comply with the Section 106 Agreement?
- Is the layout of the changing facilities building and the layout of the sports pitches acceptable?
- The site's ecology was assessed and mitigation measures were set out in the Ecological Appraisal of the site which was completed in 2007; this accompanied FP/92/04 and a condition (Condition 7) was imposed on FP/92/04, but this information was out of date. An up-to date Site Inspection Report, prepared by Tetra Tech has been submitted with FP/248/20/PL.

SECTION 106 AGREEMENT

The Section 106 Agreement which accompanied FP/92/04 required the provision of a changing room facility of 131 sqm GIA plus 2% comprising 4 changing rooms each of at least 16 sqm GIA; a 30 space car park; a changing room facilities bond and a changing facility contribution of £9,694 and a sports equipment contribution of £42,480; the provision of a senior football pitch and a senior football pitch contribution; the provision of 2 five-a-side football pitches, including rebound wall; and safety fencing comprising 6.0 metre high ball stop fencing measuring 175 metres in length along the boundary with the Relief Road. There were triggers in the Section 106 Agreement for the pitches to be delivered by spring 2015 (i.e. by the construction of the 450th dwelling); it is now spring 2021 and all of the houses (i.e. 800) have been constructed at Blake's Mead.

A Deed of Variation is required to amend the number of changing rooms in the building from 4 to 2; to amend the trigger for the unconditional delivery of the Changing Facilities Building Bond for the Bond Amount of £9,694 to the Council; to alter the sports pitch specification from 105m x 75m to 100m x 64m and the adjacent run-off areas from 9m (goal areas) and 6m (sides) to 11.5m (goal areas) and 3m (sides). There is no need to amend the trigger for the delivery of the changing facilities building and the

pitches as they will be delivered within the next 3 years, which is acceptable. The District Council will be taking over management of the pitches and the changing facilities building. The Council is keen to see the pitches, the changing facilities building and the 30 space car park delivered on the site, for use by the residents of Blake's Mead and the wider community of Felpham; and the Council has agreed a Deed of Variation with the developer. The Deed of Variation to the original S106 Agreement which accompanied FP/92/04 will need to reference this new full permission.

LAYOUT

Changing Facilities Building Layout

During the course of the consultation into the planning application, the internal layout of the changing facilities building has been amended, and the amendments are set out on Drawing No. CFB/180220/HT-CFB Rev. J. Two of the four changing rooms have been removed following advice from Sport England that there is only 1 senior pitch, so only 2 changing rooms are needed. The size of the kitchen has been enlarged and an external serving hatch has been inserted in the front elevation of the building; an office has been introduced; there are 2 separate officials changing facilities; and the 2 large changing rooms have 2 toilet cubicles. All windows are at high level; and the main entrance door is to be outward opening. Brick buttresses are proposed to be installed instead of wire cages for drainpipe protection.

The proposed internal changes to the changing facilities building are acceptable as they ensure that the building is fit for purpose and provide the space required to accommodate the players and the officials, with sufficient space to accommodate a kitchen together with the provision of office space. The provision of brick walls (Brockenhurst Yellow Multi brick) together with a pitched roof (Red SL8 concrete roof tiles) on the changing facilities building is acceptable and more maintainable and manageable and more robust and secure than a building with a flat roof which would be easy to climb onto; and brick walls are more robust than composite cladding on the walls, which are easily damaged.

The proposed changing facilities building has been moved 500mm away from the drainage ditch, which is acceptable to the ADC Drainage Engineers. The revised location of the changing facilities building is shown on Drawing No. PLAN-LAY/CFB/180220/SL Rev. P - Changing Facilities Building Site Layout.

Layout of the Sports Pitches

The pitches have been re-located further away from the boundary with the relief road (i.e. Charles Purley Way). Minimum pitch dimensions are: Senior Football Pitch 90-120m long x 55-90m wide with run-off 2.0m to 3.0m; and Five-a-side pitch minimum 25m x 16m with run-off 2.0m to 3.0m. The proposed dimensions of the Senior Football Pitch would measure 100 metres long by 64 metres wide with run-off of 3.0m and 11.5m; and the 2 five-a-side pitches would measure 37 metres long by 18.5 metres wide, which are within the standard dimensions for sports pitches and they are therefore considered to be acceptable.

The Section 106 Agreement required the provision of rebound walls and goals for the five-a-side pitches and this information (3030 DualTech Rebound Panels, FBL-548-C Goal Nets and FBL-435 3g Goal Nets) has been submitted with the application and is acceptable. Details of the boundary fencing has been submitted on Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 1) and Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 2), and the knee rail fencing is acceptable around the boundary of the site as it demarcates the edge of the playing pitches without the need for security fencing. Details of the 6.0 metre high ball stop safety fencing and the supporting posts along the boundary with the Relief Road (the Charles Purley Way) and along the boundary of the car park will need to be conditioned to enable the Local Planning Authority to control the development in the interests of amenity, in accordance with Policy D DM1 of the Arun Local Plan.

Conclusion on Design and Layout

The design of the changing facilities building is acceptable as the use of brick walls together with a

pitched roof is more maintainable and manageable and more robust and secure than a building with a flat roof which would be easy to climb onto; and brick walls are more robust than composite cladding on the walls, which are easily damaged. The layout of the development is acceptable as it constitutes a good use of space as the site measuring 2.3 hectares accommodates 3 pitches, a changing facilities building and a 30 space car park, in accordance with Policy D DM1(1) of the Local Plan and Policy ESD1 of Felpham NP2.

PARKING PROVISION

The layout of the 26 space car park, which is located next to the Senior Football Pitch was approved under Y/68/09 and it is still considered to be acceptable; and the 4 parking spaces, including 2 disabled spaces adjacent to the changing facilities building, are acceptable. Paragraph 4.1 of the 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". However, it is appropriate to retain the quantum of car parking spaces that have already been approved on the site under reserved matters Y/68/09 because the proposed provision of 30 car parking spaces (including 2 disabled spaces) is acceptable and it would provide sufficient parking spaces to serve the development, without the need for grass-crete along the grass verges to allow for overflow parking. Table 4.1 of the ADC Parking Standards requires the submission of 1 cycle space per 4 staff plus customer cycle parking. The proposed development includes the provision of 5 cycle parking stands next to the changing facilities building, which would accommodate up to 10 bicycles, which complies with the requirements of the ADC Parking Standards SPD. The quantum of car and bicycle parking spaces for the proposed development is acceptable and in accordance with Policy T SP1(d) of the Local Plan, Policy GA4 of the Felpham NP2 and the ADC Parking Standards SPD.

PEDESTRIAN AND CYCLE ACCESS

The site is accessible on foot and by cyclists from the numerous footways and cycleways that serve the residential development at Blake's Mead and this development would include the provision of a new access road, with a combined footway/cycleway provision running along it. The proposed development complies with Policy T DM1 of the Local Plan and Policy GA1 of the Felpham NP2 in terms of giving priority to pedestrians and cyclists in and out of the site.

SITE LEVELS

No information has been submitted with the planning application regarding the site levels. The LPA has requested the submission of plans providing details of the site levels; but these details have not been submitted. However, the submission of these details are not fundamental to the determination of the application and should be conditioned.

LANDSCAPING

Eleven trees and a considerable number of shrubs are proposed to be planted around the 30 space car park which would enhance the appearance of the car park; and 18 trees are proposed along the northern boundary and the north west corner of the site, which would enhance the existing tree belt in this area. Drawing No. BDWS23254 11 Rev. C Sheet 1 - Hard and Soft Landscape Proposals includes proposed shrub and hedgerow planting around the northern, eastern and southern elevations of the changing facilities building, which would enhance the appearance of the single storey, pitched roofed building. The landscaped areas include the provision of three benches and bins for use by the public, which would increase the use of the site by supporters and local residents. The landscape proposals include shrub planting (Drawing No. BDWS23254 11 Rev. C Sheet 2) at the possible access to the school site, which is acceptable as the proposed planting would improve the appearance of the entrance to the school site; and it would not impair views along the access road from the visibility splays. The proposed level of tree planting is sufficient and the proposed level of soft landscaping around the car park and the changing facilities building reflects the appearance of the local area and the existing planting at Blake's Mead. The proposed development complies with Policy D DM1(1) of the Local Plan in terms of landscaping.

TREES

There are mature trees on the northern and western boundaries of the site. Most of the trees on the western boundary of the site appear to be growing to the west of the ordinary watercourse and their roots would not be affected by the siting of the changing facilities building or the sports pitches. An up-to-date Tree Survey Reference Plan (Drawing No. tf 1177/TS/100) and an up-to-date Tree Protection & Arboricultural Method Statement (Drawing No. tf 1177/TS/300) have been submitted. The Tree Protection & Arboricultural Method Statement describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground. Subject to a tree protection condition, the proposed development complies with Policy ENV DM4 of the Local Plan and Policy ESD9 of Felpham NP2.

ARCHAEOLOGY

The archaeology of the site was fully assessed and evaluated as part of the discharge of condition applications that were submitted under Condition 42 which was imposed on FP/92/04. The field has been ploughed for crops in recent history and it has been the site used for the stock-piling of top-soil and sub-soil from the adjacent housing development over the course of the last 15 years. The stock-piles of topsoil and sub-soil have been removed from the site and been used in the landscaping of the adjacent housing development. The current application seeks to amend the layout of the changing facilities building which was approved under Y/68/09, and re-locate the pitches further away from the boundary with the relief road (i.e. Charles Purley Way). Due to the minor changes (i.e. de minimis) to the layout of the changing facilities building and the re-location of the pitches away from the boundary with the highway, no further archaeological evaluations are required to be implemented. The archaeology has been investigated and reported under previous permissions and there is unlikely to be any issues.

ECOLOGY

The site's ecology was assessed and mitigation measures were set out in the Environmental Statement that accompanied FP/92/04 and made a condition (Condition 7) which was imposed on FP/92/04. It is acknowledged that this is a new planning application, not an amendment to an existing one and that habitats and the presence of species changes over time. An up-to date Site Inspection Report, prepared by Tetra Tech has been submitted with FP/248/20/PL. The Site Inspection Report concluded that although there has been a change in the habitat conditions on site (the grass sward is longer) there is not a significant increase in the suitability of the site for protected or notable fauna.

The ADC Ecological Advisor has recommended a condition for ecological enhancements including any trees removed should be replaced at a ratio of 2:1, wildflower meadow planting used, filling any gaps in tree lines or hedgerows with native species, bat and bird boxes to be installed on the site, grassland areas to be managed to benefit reptiles, log piles on-site, and the installation of 2 hedgehog nesting boxes on the site. Subject to a condition for the provision of on-site ecological enhancements and mitigation measures, the proposed development complies with Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan and the National Planning Policy Framework.

RESIDENTIAL AMENITY

The siting of the sports pitches and the changing facilities building as indicated on site layout plan (Drawing No. PLAN-LAY/CFB/180220/SL Rev. P - Changing Facilities Building Site Layout) are separate from the residential development at Blake's Mead, but it is necessary to impose a condition controlling the hours of construction, to minimise the impact on the neighbouring residents at Blake's Mead. A Construction & Environmental Management Plan (Rev. B) has been submitted which includes vehicle routing and dust suppression measures which are acceptable; and the Construction & Environmental Management Plan (Rev. B) is listed in Condition 2. Subject to the imposition of a condition controlling the hours of construction, the proposed development complies with Policy DM1(3) of the Local Plan, in terms of minimising noise and disturbance.

SURFACE WATER DRAINAGE

A Flood Risk Assessment and Drainage Strategy has been submitted, together with a SuDS Management & Maintenance Plan. The site is mainly in Flood Zone 1, but the access road is in Flood Zone 2. An ordinary watercourse is located in a ditch immediately west of the site within Flood Zones 2 and 3.

Sequential Test and Exception Test:

Paragraph 161 of the NPPF, 2021 states that 'All plans should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below.' Paragraph 166 of the NPPF, 2021 states that 'Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again.' It is noted that the application site is allocated as Local Green Space in the Felpham Neighbourhood Plan (Policy CLW6 and CLW7) and therefore complies with the Sequential Test.

Paragraph 166 of the NPPF, 2021 sets out whether you need to apply the exception test: 'where planning applications come forward on sites allocated in the development plan through the sequential test, the exception test may need to be re-applied if relevant aspects of the proposal had not been considered when the test was applied at the plan making stage, or if more recent information about existing or potential flood risk should be taken into account'. The proposed development at Blake's Mead would provide wider sustainability benefits to the community as a sports facility that would outweigh the flood risk; and the proposed development would be safe for its lifetime, taking into account the vulnerability of its users, it would not increase the risk of flooding elsewhere and would where possible reduce overall flood risk. The site-specific FRA confirms that the development passes the exception test and is compliant with Policies W DM2, W DM3 and W SP1 of the Local Plan.

Paragraph 164 of the NPPF 2021 states that 'to pass the exception test it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.' The site is considered to be socially, environmentally and economically sustainable due to its location within a strategic site (Blake's Mead) which forms an urban extension to Felpham and would have an acceptable impact on residential amenities and visual appearance (environmental factor), and the contribution it is capable of making towards construction jobs (social and economic factors). The proposed development at Blake's Mead would provide wider sustainability benefits to the community as a sports facility that would outweigh the flood risk; and the proposed development would be safe for its lifetime, taking into account the vulnerability of its users, it would not increase the risk of flooding elsewhere and would where possible reduce overall flood risk. The site location passes the sustainability criteria of the Exception Test. The development of the site would reduce flood risk overall, in compliance with b) above.

The Environment Agency information shows the site at risk from tidal flooding in an undefended state. The finished floor levels of the changing facilities building have been adjusted to tie into the sports pitches; the building lies outside the fluvial floodplain.

The surface water drainage proposals have changed to remove the open attenuation basin, which is not required, and to extend the existing swale to obtain the required storage. The majority of the existing swale is in the easement and a watercourse easement plan has been submitted (Drawing No. 5292:02 Rev. A - Easement Layout), and this is based on a 3.0m easement from top of watercourse bank. It is

proposed to discharge all surface water run-off from the hardstanding areas to the watercourse at the site entrance. The football pitch would be contained within a stone sub base layer prior to out-falling to the swale; and all roads and car parking areas would drain to the swale. Any overflow would overtop the swale and would flow into the ditch adjacent to the western boundary of the site. Surface water drainage and levels conditions are required. Subject to the imposition of surface water drainage conditions, the proposed development complies with Policy W DM3 of the Local Plan, Policy ESD5 of Felpham NP2 and the National Planning Policy Framework.

FOUL DRAINAGE

All foul water flows would discharge to a foul package pumping station within the site boundary which would pump flows to a manhole in Bay Bridge Crescent at Blake's Mead. The proposed foul water drainage is acceptable in principle as it would link into the existing sewerage system that has been implemented at Blake's Mead, but the details of the foul water drainage should be conditioned.

CLIMATE CHANGE

The proposed east/west orientation of the changing facilities building would ensure maximum solar gain and would comply with Policy ECC SP1 of the Local Plan. Six electric vehicle charging points (i.e. 20% provision) are proposed on Drawing No. PLAN-LAY/CFB/180220/SL Rev. P - "Changing Facilities Building Site Layout" to serve the 30 car parking spaces, which complies with the requirements of Table 2.2 of the ADC Parking Standards SPD. The use of electric vehicles would reduce the carbon footprint of the development by reducing the use of fossil fuels and the proposed provision of 6 electric vehicle charging points is supported.

SUMMARY

The proposed amendment to the changing facilities building and the re-location of the sports pitches away from the boundary with the relief road are acceptable in principle, in accordance with Policy D DM1, Policy OSR DM1, Policy HWB SP1, Policy ECC SP1, Policy ENV DM4, Policy ENV DM5, Policy ENV SP1, Policy T SP1, Policy T DM1 and Policy W DM3 of the Local Plan, Policy ESD1, Policy ESD5, Policy ESD9, Policy CLW6, Policy CLW7, Policy GA1 and Policy GA4 of the Felpham NP2 and the National Planning Policy Framework.

RECOMMENDATION

It is recommended that this application is approved and the following conditions be imposed. In addition, the Section 106 Agreement has been modified by means of a Deed of Variation which was signed on 26th November 2021, but it was issued on 26th January 2022 as the Council had only then received the costs from the applicant's solicitor.

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 in accordance with the following approved plans and submitted documents:

- Drawing No. PLAN-LOC/CFB/180220/LP Rev. A - Changing Facilities Building Location Plan.
- Drawing No. CFB/180/220/HT-CFB Rev. J - Changing Facilities Building.
- Drawing No. PLAN-LAY/CFB/180220/SL Rev. P - Changing Facilities Building Site Layout.
- Drawing No. 5292:10 Rev. A - Longitudinal Sections.
- Drawing No. 5292-21 Rev. A - Construction Details (Sheet 2).
- Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 1).
- Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 2).
- Changing Facility Zone E, Stanhorn Grove, Felpham: Soft Landscape Specification (Ref. BDWSspec), dated April 2021, prepared by ACD Environmental.
- Changing Facility Zone E, Stanhorn Grove, Felpham: Landscape Management and Maintenance Plan (Ref. BDWS23254 man), dated 8th April 2021, prepared by ACD Environmental.
- 3030 DualTech Rebound Panels.
- FBL-548-C Goal Nets.
- FBL-435 - 3G Goal Nets.
- 6.0 metre high polyethylene stop netting.
- Materials Schedule, 7th June 2021.
- Changing Facility Specification - General (Rev. A).
- Changing Facility Specification - Finishes (Rev. C).
- Design, Access and Supporting Statement, Changing Facilities Building, Felpham, West Sussex.
- Flood Risk Assessment & Drainage Strategy, January 2021, prepared by MJA Consulting.
- Drawing No. tf 1177/TS/100 - Tree Survey Reference Plan.
- Drawing No. tf 1177/TS/300 - Tree Protection & Arboricultural Method Statement.
- Construction & Environmental Management Plan Rev. B, dated 02/06/2021.
- Site Inspection Report by Tetra Tech, dated 02.12.2021.

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 The approved materials and finishes for the external walls and roof set out in the Materials Schedule, 7th June 2021 shall be used in the construction of the changing facilities building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy D DM1 of the Arun Local Plan.

- 4 No construction / demolition activities shall take place other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no activities taking place on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

- 5 All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the changing facilities building or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of amenity and of the environment of the development in accordance with Policy D DM1 of the Arun Local Plan.

- 6 The development shall be carried out in accordance with the submitted Flood Risk Assessment submitted by MJA Consulting and the following mitigation measures:
- Finished floor levels of the changing rooms shall be set 300mm above the surrounding ground levels.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing / phasing arrangements. The measures detailed above shall be retained and be maintained thereafter throughout the lifetime of the development.

Reason: In line with the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy W DM2 of the Arun Local Plan.

- 7 No external lighting shall be installed until details have been submitted to and been approved in writing by the Local Planning Authority prior to the commencement of development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles).

The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep / bleed, maintained and operated in accordance with the approved details.

Reason: To protect the appearance of the area, the environment and wildlife and local residents from light pollution, in accordance with Policy QE DM2 of the Arun Local Plan.

- 8 No development shall commence until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels in the changing facilities building, levels of the car park, the access road and details of the surfacing of the senior football pitch and the 2 five-a-side pitches have been submitted to, and been approved in writing by the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and the proposed completed height of the changing facilities building with the

surrounding area. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and the adjacent land, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 9 Prior to the first use of the 5 a side football pitches, the approved rebound walls and goals shall be installed and be retained thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, in accordance with Policy D DM1 of the Arun Local Plan.

- 10 Prior to the commencement of development, details of the location of the location of the supporting posts for the ball stop fencing alongside the Bognor Regis Relief Road (Charles Purley Way) and along the boundary of the car park shall be submitted for approval in writing by the Local Planning Authority. Prior to the first use of the senior football pitch, the ball stop safety fencing, comprising 6.0 metre high polyethylene stop netting, shall be installed alongside the Relief Road (Charles Purley Way) and along the boundary of the car park and be retained thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the fencing details need to be approved up-front and the approved fencing needs to be installed prior to the first use of the senior football pitch to ensure that footballs do not land on the adjacent highway and obstruct the free flow of traffic or cause an accident.

- 11 Prior to the first use of the senior pitch and the 5 a side football pitches, the approved knee rail fencing around the site boundary shall be installed in accordance with Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 1) and Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 2) and be retained thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, in accordance with Policy D DM1 of the Arun Local Plan.

- 12 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 13 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 14 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 15 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 16 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and be approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and the changing facilities building shall not be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the changing facilities building is first occupied.

- 17 The approved Electric Vehicle Charging Points identified on Drawing No. PLAN-LAY/CFB/180220/SL Rev. N - "Changing Facilities Building Site Layout" serving the car park shall be installed prior to the first use of the car park and thereafter will be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy QE DM3(c) of the Arun Local Plan, the ADC Parking Standards SPD and the National Planning Policy Framework.

- 18 The changing facilities building shall not be occupied until the secure cycle parking spaces have been provided in accordance with the approved Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 1) and Drawing No. BDWS23254 11 Rev. C - Hard and Soft Landscape Proposals (Sheet 2).

Reason: To provide alternative travel options to the use of the car in accordance with Policy D DM1 of the Arun Local Plan.

- 19 The changing facilities building shall not be occupied until the car park has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with Policy D DM1 of the Arun Local Plan.

- 20 All protective fencing must be 'Fit for Purpose' as required under British Standard 5837:2012 and be erected and positioned exactly as shown on Drawing No. tf 1177/TS/300 - Tree Protection & Arboricultural Method Statement.

All activity at the site is to be carried out in strict accordance with Drawing No. tf 1177/TS/300 - Tree Protection & Arboricultural Method Statement. If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Any tree pruning considered essential to enable the agreed development or subsequently agreed with the Local Planning Authority Tree Officer, must meet the requirements of BS3998:2010 Tree work - Recommendations:

- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010.
- Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reason: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area, in accordance with Policy ENV DM4 of the Arun Local Plan

- 21 Prior to the commencement of construction works a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for approval in writing. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

The LEMP should look to include matters such as the following:

- Any trees removed should be replace at a ratio of 2:1;
- Wildflower meadow planting used;
- Filling any gaps in tree lines or hedgerows with native species;
- Bat and bird boxes installed on the site;

- Grassland areas managed to benefit reptiles;
- Log piles on-site;
- Two hedgehog nesting boxes included on the site.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-construction condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.

- 22 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 23 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

- 24 INFORMATIVE: During construction, any trenches deeper than 1.0m, or drainage pipework greater than 200mm diameter, shall be covered or capped overnight to prevent badgers or other mammals becoming trapped.
- 25 INFORMATIVE: Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).
- 26 INFORMATIVE: Any brush, compost and/or debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.
- 27 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