

Recommendation Report for Planning Permission

REF NO: P/32/21/PL

LOCATION: Pagham Football Club
Nyetimber Lane
Bognor Regis
PO21 3JY

PROPOSAL: Upgrade existing floodlights replacing only the light fittings.
This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks planning for upgrade of the existing floodlights. Replacing just the light fittings but leaving the towers as they are in situ. The four floodlights currently are 10kw each but with the upgrade this would reduce to 8kw per floodlight.
SITE AREA	7500.00 sqm
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	A variety of boundary treatments including 2 metre close boarded fencing and 2 metre metal fencing around the perimeter of the sports field.
SITE CHARACTERISTICS	The site is used for social and football club.
CHARACTER OF LOCALITY	The sports field is surrounded by residential properties in a suburban area.

RELEVANT SITE HISTORY

P/105/20/CLP	Lawful development certificate for proposed replacement of existing floodlights.	Withdrawn 08-01-21
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None.

REPRESENTATIONS

No letters of representation received from the adjoining neighbours.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental health: no objection and condition has been recommended

Parish Council: No objection

POLICY CONTEXT

Within built up area

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
HWBSP1	HWB SP1 Health and Wellbeing
QEDM2	QE DM2 Light pollution

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
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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 Village Design statement for Pagham is applicable. There is reference to the Nyetimber Lane. "The land currently in use by the cricket and football clubs is in the custodial ownership of the Area Health Authority. Notwithstanding the associated flood lighting, telecommunication masts, and safety netting, it is a well integrated facility. The youth tutelage and local support of village team sport is a laudable activity. Both organisations have a long tradition, are well administered and each performs a valued social function in its own right."

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 proposal would have an acceptable design and impact on neighbouring residential properties in accordance with policy QE DM2 of the Arun Local Plan and would contribute towards the necessary infrastructure for health & wellbeing in the Arun District in accordance with policy HWB SP1 of Arun Local 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 OF DEVELOPMENT

The site is located within the built-up area where the principle of development is acceptable. In this instance, the main criteria against which the application will be assessed is contained within relevant policies of the Arun Local Plan including policy QE DM2 relating to outdoor lighting and policy HWB SP1 relating to health & wellbeing and policy DDM1 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and the character of the area. The proposal is considered to be in keeping with its urban setting and to accord with policy. As alluded above in the policy commentary, the proposal would accord with the Village Design Statement for Pagham.

DESIGN

The proposal does not result in any significant change to the appearance of the floodlighting columns. Only the lights fittings will be replaced of similar external appearance.

RESIDENTIAL AMENITY

The proposed new floodlights are to be projection beam floodlights rather than non directional floodlights as currently exist and therefore it is expected that there will be less light spillage and an improvement in the residential amenity of nearby properties as a result. This benefit should also extend to nearby pavements and roads. The Council's Environmental Health team have made no objection to the proposal subject to luminance levels being provided showing compliance with BS EN 12193:2018 and condition has been recommended. The proposal is considered to comply with policy QE DM2 and policy D DM1 of the Arun Local Plan with respect to design and residential amenity.

HEALTH & WELLBEING

Policy HWB SP1 advises that particular regard shall be had to providing or contributing to the necessary infrastructure to encourage physical exercise and health, including accessible open space, sports and recreation facilities (including outdoor fitness equipment). As set out in the additional information provided the upgrading of the floodlighting will allow the PaghamFootball Club to provide a high standard of football to be played at the club with all the cascading down of benefits to the other teams within the club. It is considered that the proposal significantly contributes to the necessary infrastructure to encourage physical exercise and health and accords with policy HWB SP1 of the Arun Local Plan. The proposed development is considered to comply with the Development Plan and is recommended for approval subject to the following conditions:

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

Site plan
Block plan

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.

- 2 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).

- 3 The 'horizontal luminance' levels on the playing surface shall be no greater than levels specified for the particular sport / activity and for the level of competition, as specified within BS EN 12193:2018 Light and lighting - Sports lighting.

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

- 4 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.