

Recommendation Report for Planning Permission

**REF NO:** R/283/19/PL

**LOCATION:** Car Park to the rear of 1-3 Broadmark Lane  
Rustington  
BN16 2NE

**PROPOSAL:** Installation of 2No.rapid electric vehicle charging stations, with associated equipment.

**SITE AND SURROUNDINGS**

|                            |                                                                                         |
|----------------------------|-----------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | The application seeks to install 2No. rapid vehicle charging stations.                  |
| SITE AREA                  | N/A.                                                                                    |
| TOPOGRAPHY                 | Predominantly flat.                                                                     |
| TREES                      | None of any significance affected by the proposed development.                          |
| BOUNDARY TREATMENT         | There is no existing boundary treatment, as the proposal affects an area of a car park. |
| SITE CHARACTERISTICS       | The site is a car park.                                                                 |
| CHARACTER OF LOCALITY      | The area is a car park, bordered by shops.                                              |
| Noted.                     |                                                                                         |

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Rustington Parish Council  
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted.

**CONSULTATION RESPONSES RECEIVED:**

None.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

**POLICY CONTEXT**

Designation applicable to site:  
Within built up area boundary

**DEVELOPMENT PLAN POLICIES**

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

|        |                                          |
|--------|------------------------------------------|
| DDM1   | D DM1 Aspects of form and design quality |
| ECCDM1 | ECC DM1 Renewable Energy                 |
| ECCSP1 | ECC SP1 Adapting to Climate Change       |
| SDSP2  | SD SP2 Built-up Area Boundary            |

**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.

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 it has not harmful impact upon the character of the local area, nor a harmful impact upon local occupiers.

**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**

In this case, the key policies are considered to be D DM1, and T SP1 of the Arun Local Plan. There are no policies in the 'made' Rustington Neighbourhood Development Plan of which relate to this

development proposal.

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.

Policy ECC SP1 of the Arun Local Plan seeks to support proposals which are appropriately designed to adapt to the impacts of climate change. These relate to the location of the development, water efficiency, and other measures which can be designed into proposals.

#### DESIGN AND VISUAL AMENITY

The proposed development is not considered to have a significantly harmful impact upon the character of the locality, and represents a very minor visual change to the area. It is considered that the proposed additions to the site would not appear out of place within the context of a car park. Therefore, the proposed development is considered to comply with D DM1 of the Arun Local Plan.

#### CLIMATE CHANGE & TRANSPORT

The proposed development is considered to positively respond and adapt to the impacts of climate change. This is because the proposed electric vehicle charge stations positively contribute towards the creation of an electric vehicle network. As such, the proposal is considered to be in accordance with T SP1 and ECC SP1 of the Arun Local Plan.

#### 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.

#### 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

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:

- Location Plan - 10345-0001\_03 - Rev. B
- Block Plan - 10345-0001\_02 - Rev. B
- Planning Site Layout - 10345-0001\_01-PL - Rev. B
- RMC 1600 - WITH ROOTS - 10345-0001\_05 - Rev. A
- CHAREPOINT EXPRESS 250 (WITH BOLLARDS) - 10345-0001\_04 - Rev. A
- Express 250 - Specifications

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.