

PLANNING APPLICATION REPORT

REF NO: A/91/23/PL

LOCATION: Rustington Golf Centre
Golfers Lane
Angmering
BN16 4NB

PROPOSAL: Temporary Sales Cabin and associated Landscaping.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>This application seeks planning permission to erect a temporary sales cabin and carry out associated landscaping including the provision of 2 no. planters, and a close boarded fence. This sales cabin is for for the sale of 191 new homes that are to be built on the Rustington Golf Course adjacent to the proposal site.</p> <p>The proposed sales cabin is to be approx. 9.8m in width, 3.6m in depth, and 3.4m in height. It is of a rectangular form with a flat roof design and would also feature a ramp to the front of the cabin that is of a comparable width and depth, with a low-level fence to its perimeter, reaching a height of approx. 1.5m. The ramp is clearly ancillary to the cabin, serving as an access to the front of the cabin.</p>
SITE AREA	Approx. 4688 sqm.
BOUNDARY TREATMENT	The car park features low-level hedging to its boundaries but is predominantly open with recreational/leisure units to the North of the car park. Golfers Lane is also predominantly open, with the Golf Course to the West and agricultural land to the East. The East & West sides of Golfers Lane however, do feature rows of small trees and the East side does also have a low-level wooden fence.
SITE CHARACTERISTICS	The site consists of a car park and an associated access road. The Car Park serves the recreational/leisure units to the North of the car park and the Rustington Golf Centre.
CHARACTER OF LOCALITY	Rustington Golf Centre is predominantly a golf course with associated facilities. However, there are recreational/leisure units to the North of the car park and a large residential estate within the golf course to the East of the car park. The locality serves as a mixed use area with a semi-rural character.

RELEVANT SITE HISTORY

A/91/23/PL

A/129/21/PL	Erection of 191 new homes in a mix of 1 to 4 bedroom dwellings and 1 bedroom apartments, with associated landscaping, parking, open space, play areas, construction of a new access from Golfers Lane, and all other associated works. This application is a Departure from the Development Plan & is in CIL Zone 3 and is CIL Liable as new dwellings.	Refused 05-11-21
		Appeal: Allowed+Conditions 21-10-22
A/92/23/A	Various adverts at various locations.	ApproveConditionally 14-06-23

This application is for a temporary sales cabin which is for the sale of 191 new homes that have recently been allowed and planned to be built on part of the golf course adjacent to the car park. The application for these new homes was application ref: A/129/21/PL.

Additionally, application ref: A/92/23/A was an advertisement consent application that has recently been approved for various advertisements that were proposed for the benefit of the sale of the houses and is relevant to this application.

REPRESENTATIONS

Angmering Parish Council (APC) - Objection:

- Siting of the sales office will impact on existing business as outside of the development boundary.
- Too many signs on the A259 bypass.
- No comment from WSCC Highways regarding distraction.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comment regarding the advertisement signs was addressed within the associated advertisement consent application (A/92/23/A).

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers:

- Due to the scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

WSCC Highways - Awaited. The committee will be updated of any comments received from WSCC Highways prior to the committee by way of committee report update.

COMMENTS ON CONSULTATION RESPONSES:

Officers do not consider that WSCC can add any useful comments to this application bearing in mind the history and the temporary nature of the proposals. They have only been consulted in response to the comment of the Parish Council.

POLICY CONTEXT

Designation applicable to site:
Outside Built-up Area Boundary.
Area of Special Control for Adverts.

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
DDM1	D DM1 Aspects of form and design quality
QESP1	QE SP1 Quality of the Environment

- [Angmering Neighbourhood Plan 2014 POLICY HD1](#) Built-up Area Boundary
- Angmering Neighbourhood Plan 2014 POLICY HD4 Materials
- Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form
- Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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.

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 conflicts with relevant Development Plan policies in that it is located outside of the Built-up Area Boundary where a proposal such as this is not normally permitted, and it is of a design that is not reflective of the character of the locality.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) 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,

(aza) 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.

OTHER MATERIAL CONSIDERATIONS

The proposed sales cabin is a temporary structure in connection with the construction and sale of approved 191 new homes at the adjacent Rustington Golf Centre site. The temporary nature and use of this development, and its association with an allowed application for new homes adjacent to this site are significant material considerations that warrants a decision otherwise than in accordance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key Development Plan policies relevant to this application are C SP1 (Countryside), D SP1 (Design), D DM1 (Aspects of form and design quality), T SP1 (Transport & Development) & QE SP1 (Quality of the environment) of the Arun Local Plan (ALP), and policies HD1 (Built-up Area Boundary), HD4 (Materials), HD5 (Built Form) & HD8 (Parking for new development) of the Angmering Neighbourhood Development Plan (ANP).

The site is located outside the Built-up Area Boundary (BUAB) and is classed as 'Countryside' for the purposes of policy C SP1. The proposal does not fall into any of the categories within policy C SP1 that are identified as permissible. Policy HD1 of the ANP defines the Built-up Area Boundary in Angmering and provides land in which development should be focussed. The proposal conflicts with policy C SP1 of the ALP and HD1 of the ANP.

DESIGN AND VISUAL AMENITY

ALP policies D SP1 and D DM1 require development makes the best possible use of land by reflecting or improving the character of the site/surrounding area.

Policy HD4 of the ANP states that developments that feature materials that are clearly inharmonious with their surroundings will generally be refused.

Policy HD5 of the ANP states that new developments must demonstrate how they have considered the impact of their built form of their surroundings, paying particular attention to integration with both the character of nearby development as well as its landscape setting.

The Arun Design Guide does not contain any guidance specific to temporary or sales buildings but does state more generally that development within rural areas must be sensitively and appropriately integrated into the landscape setting and use simple, unobtrusive design.

The cabin is to be located within a car park. There are large recreational/leisure units to the North and residential units to the East. The golf course, whilst open and featuring soft landscaping, does not alone, result in the area being rural in character. The area is semi-rural in nature, with established and emerging

built form being apparent.

The sales cabin is minor in scale and of a simple design, featuring a thick fascia and a series of tall openings to its elevations. It is indicated by the recently approved advertisement consent application (A/92/23/A), that the external finishes of the cabin are to consist of dark blue walls with dark yellow/green accents and advertisement information relevant to the sale of the new homes. The visual design of the cabin is what one would typically expect of a temporary cabin that is used in connection with the sale of housing. Whilst the cabin would not reflect the scale, materials, or design of any nearby structures, the design of the sales cabin is functional rather than a high-quality building, and would be removed before the expiration of a four year period as specified by condition number 3.

The proposed closed boarded fencing comes in two different heights, one being 1.8m in height and the other, 1.5m partly to surround the power pack to the rear of the temporary sales cabin. The fencing is of a functional design and along with the building will be removed in due course. It is therefore, acceptable in design and siting.

The remainder of the proposed landscaping consists of 2 no. small wooden planter pots with ornamental plants that are to be sited to the front of the proposed sales cabin. These are too acceptable due to their temporary nature and negligible visual impact.

For the reasons stated above the proposal is in accordance with policies D SP1 & D DM1 of the ALP and policies HD4 & HD5 of the ANP.

HIGHWAYS AND PARKING

The siting of the sales cabin would occupy 7 no. existing parking spaces and reserve 6 no. parking spaces for those visiting the sales cabin. Thereby, temporarily reducing the total number of parking spaces within the car park by thirteen. Whilst this will have some impact on the provision of parking for those looking to use the existing recreational/leisure facilities, the car park is extensive and these works are temporary, thereby having no permanent impact on parking provision. The Arun Parking Standards requires 1 no. parking space per 14sqm of floorspace for a retail shop, which is applicable to the use of the cabin. This would require the cabin to provide a minimum of 3 no. parking spaces, which it complies with. Furthermore, the discontinuance of the 3-par golf course will reduce demand for the remaining car parking.

The proposal is temporary in nature and there will be limited movements to/from the site. Given the sites' existing use as a car park, the proposal and its use to park and visit as a sales office would not exacerbate any existing highway safety concerns to such an extent as to result in a severe or unacceptable highway impact.

Given that there is a 15mph speed limit along Golfers Lane, and that there would be limited traffic to and from the site as it serves a car park and a small residential estate to the North-east (Ham Manor), there would not be any unacceptable impacts on highway safety, or result in any severe cumulative impacts on the road network.

The proposal is in accordance with policy T SP1 of the ALP & policy HD8 of the ANP, and para 111 of the NPPF relating to highway safety.

SUMMARY

For the reasons set out above the proposal is in accordance with the relevant Development Plan policies D SP1 & D DM1 of the ALP and policies HD4, HD5 and HD8 of the ANP.

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 not CIL liable.

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:

- Close Boarded Fence (DB-SD13-006).
- Proposed Landscaping (Ref: 13114).
- Location Plan (PLN-1-1116 Rev. A).
- Temporary Sales Cabin Layout (PLN-1-1117).
- Proposed Floor Plans & Elevations (PLN-1-3300).
- Signage Site Layout (PLN-1-1118). (With reference to the siting of close board fencing only. This permission cannot and does not grant consent for advertisements).

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 sales building and other associated works hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending four years after the date of this permission or one month after the sale of the last dwelling, whichever is the sooner.

Reason: In the interests of the visual amenities of the locality in accordance with D DM1 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 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.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on this link.

A/91/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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