

PLANNING APPLICATION REPORT

REF NO: LU/294/20/PL

LOCATION: Brookfield Park
at Honeysuckle Close
Littlehampton

PROPOSAL: Erection of 6m high flag pole. This site is in CIL Zone 5 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This is an application submitted by Arun District Council.
	The proposal is for the erection of a 6m flag pole located at the end of Honeysuckle Close. The base of the flag pole will have a width of 0.5m with foundations 1m deep.
SITE AREA	0.1 Hectares.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	To the west there are mature trees and foliage, to the north and south of the site there is open park and to the east there is the end of Honeysuckle Close which hosts a small single rail fence with a earth mound to the park side.
SITE CHARACTERISTICS	Public park with play area.
CHARACTER OF LOCALITY	Park space located just outside the built up area boundary at the edge of a residential area which comprises two storey detached dwellings.

REPRESENTATIONS

Littlehampton Town Council:
No objection

One letter of objection with concerns about the noise of the mechanism, the purpose of the flag pole, why this location was chosen and whether any more are proposed.

COMMENTS ON REPRESENTATIONS RECEIVED:

The distance from the nearest residential property to the east is 19m from the pole which is sufficient to ensure that any noise resulting from the mechanism does not result in adverse harm. The properties to the west have the additional benefit of the landscaping screening which will dampen any sound.

The green flag is to acknowledge a park of distinction. Further details of this are included in the Conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Parks and Landscapes:
No response received.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:
- Outside the Built Up Area Boundary
- Parks Open Spaces
- Archaeological Notification Area

DEVELOPMENT PLAN POLICIES

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

- CSP1 C SP1 Countryside
- DDM1 D DM1 Aspects of form and design quality
- DSP1 D SP1 Design
- OSRDM1 Protection of open space, outdoor sport, comm& rec facilities

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 16 Open Spaces

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.

Relevant policies of the Littlehampton Neighbourhood Plan have been considered in determination of this application.

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 proposal is considered to comply with relevant Development Plan policies in that the proposed flag pole would have no materially adverse effect on the visual amenities of the locality, residential amenities of the adjoining properties, an adverse impact upon the established character of the surrounding area, nor would it have an adverse impact on the availability of public open space.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

BACKGROUND

The flag pole will be used to display a flag associated with the Green Flag Award scheme which recognises and rewards well managed parks and green spaces, setting the benchmark standard for the management of recreational outdoor spaces across the United Kingdom.

It aims to ensure everybody has access to quality green and other open spaces, irrespective of where they live. It also aims to establish good standards of management while recognising and rewarding the hard work of managers, staff and volunteers.

PRINCIPLE

The proposed development is situated outside the built up area boundary as defined in the Arun Local Plan where the principle of development is acceptable subject to accordance with Policy CSP1. In this case it complies with part f) of this policy since it relates to a specific use. The pole is located on the edge of public open space and will be used to display information linked to this use. The other relevant key policies are D SP1, D DM1 and OSR DM1 of the Arun Local Plan. Additionally, Policy 1 and 16 of the Littlehampton Neighbourhood Development Plan.

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 DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy OSR DM1 states existing open space, outdoor and indoor sport, community, arts and cultural facilities should not be built on or redeveloped for other uses except in the cases where sections a, b or c apply.

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan.

Policy 16 of the Littlehampton Neighbourhood Development Plan states that there will be a presumption against development proposals on any accessible open space in the town.

DESIGN AND VISUAL AMENITY

Arun Local Plan policy D DM1 lists a series of 15 factors that development must comply with, these include character, impact and public realm.

The site is located outside the built-up area but abutting an area of residential development immediately next to Honeysuckle Close.

The flag pole is proposed to be sited at the end of the Close in the park and will be used for the display of the green flag award. Given its slim profile it would be readily assimilated into the backdrop of hedging/housing and would not appear prominent or visually obtrusive in its setting. Additionally, within the locality there is a lamppost which is of a similar nature being tall and thin. As a result the flag mast is compliant with policies D SP1 and D DM1 of the Arun Local Plan.

As a relevant and supportive material consideration, the National Planning Policy Framework (NPPF) states that planning should set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. The Green Flag Award aims to promote and share good practice amongst the green space sector.

IMPACT ON OPEN SPACE

The proposed development complies with policy OSR DM1 of the Arun Local Plan as the flag pole will be located to the eastern side of the park and not negatively impact on the use of the open space. This illustrates the compliance with CSP1 (f) where development should be permitted in accordance with other policies in the plan which refer to a specific use or type of development.

RESIDENTIAL AMENITY

Due to the siting and profile of the pole it would not result in an unacceptable overbearing or overshadowing impact upon the occupiers of neighbouring dwellings as a result of it being site approximately 17m from the nearest dwellinghouse.

SUMMARY

The flag pole is an acceptable addition in this locality and is not considered to be prominent or obtrusive feature in terms of its impact on the visual and residential amenity of the area.

It is therefore recommended that the application is approved, 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 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:
 - Location Plan
 - Block Plan
 - Flag Pole Section 1

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.

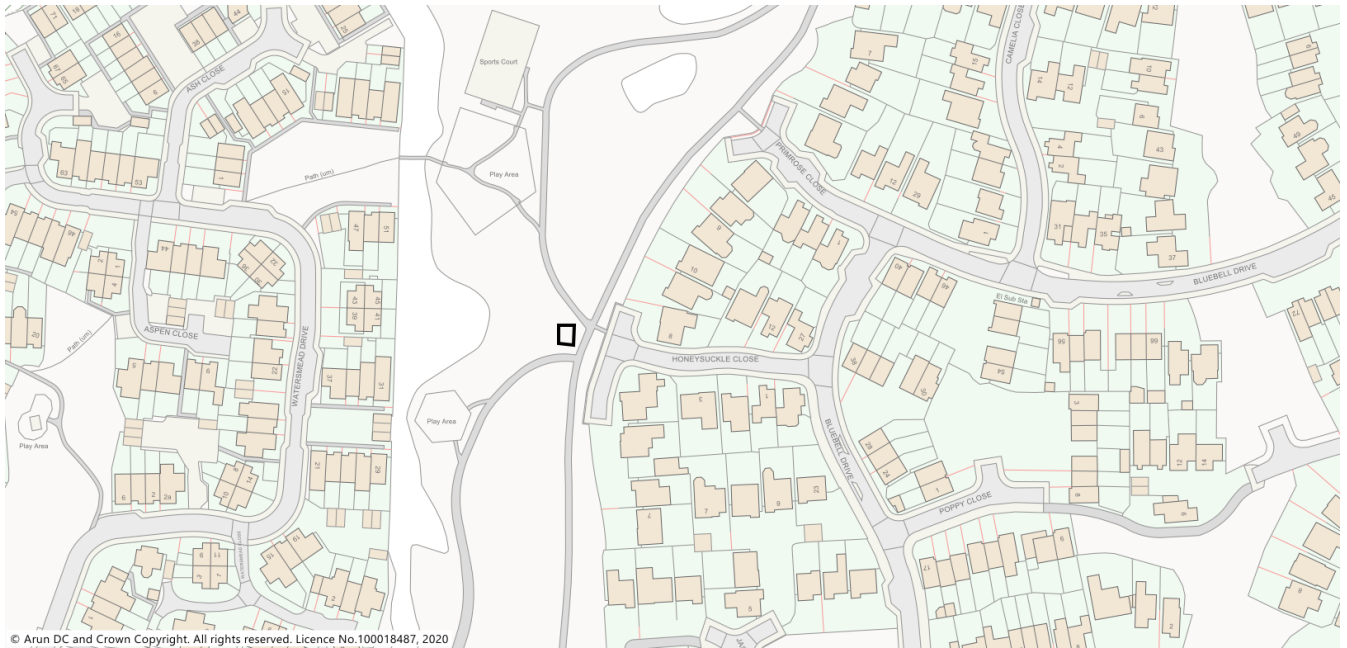
- 4 INFORMATIVE: Deemed consent for the flying of the green flag is granted under Schedule 3, Part 1, Class 7 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). As a result no further approval is required for the use of the pole to fly a green flag.

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](https://www.arun.gov.uk/weekly-lists)

[this link.](#)

LU/294/20/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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