



Public Document Pack

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13 March 2025

PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber at Arun Civic Centre, Maltravers Road, Littlehampton BN17 5LF** on **Wednesday 26 March 2025 at 11.30 am** and you are requested to attend.

Members: Councillors McDougall (Chair), Wallsgrove (Vice-Chair), Blanchard-Cooper, Bower, Hamilton, Kelly, Lury, Northeast, Partridge, Patel and Woodman

PLEASE NOTE: Where a member of the public wishes to attend the meeting or has registered a request to take part in Public Speaking physically at the Planning Committee, they are to enter the Civic Centre via the front reception and then make their way up to the Council Chamber on the second floor and take a seat in the Public Gallery [the Blue Room].

For further information on the items to be discussed, please contact Committees@arun.gov.uk.

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE

PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION ONLINE AT www.arun.gov.uk/planning

A G E N D A

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officer should make their declaration by stating:

- a) the application they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial
- c) the nature of the interest
- d) if it is a prejudicial or pecuniary interest, whether they will be exercising their right to speak to the application

3. VOTING PROCEDURES

Members and Officers are reminded that voting at this Committee will operate in accordance with the Committee Process as set out in the Council's adopted Planning Local Code of Conduct for Members and Officers at Part 8 of the Constitution. A copy of the Planning Local Code of Conduct can be obtained from Planning Services' Reception and is available for inspection in the Members' Room.

4. MINUTES

(Pages 1 - 8)

To approve as a correct record the Minutes of the last Planning Committee meeting held on 19 February 2025.

5. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

PLANNING APPLICATIONS

6. **BR/2/25/PL, 20 SUDLEY ROAD, BOGNOR REGIS PO21 1EU** (Pages 9 - 22)
7. **FG/14/25/PL, 275 GORING WAY, FERRING BN12 5BY** (Pages 23 - 36)
8. **LU/305/24/PL, 2 QUEEN STREET, LITTLEHAMPTON BN17 6EP** (Pages 37 - 46)
9. **R/21/25/NMA, 27 PRESTON PADDOCK, RUSTINGTON BN16 2AA** (Pages 47 - 48)
10. **WA/105/24/PL, FLINTCROFT SURGERY, THE STREET, WALBERTON BN18 0PJ** (Pages 49 - 60)

PLANNING APPEALS

11. **APPEALS** (Pages 61 - 66)

OFFICER REPORT UPDATES

Will be circulated ahead of the meeting if there are any.

BACKGROUND PAPERS

In the case of each report relating to a planning application, or related matter, the background papers are contained in the planning application file. Such files are available for inspection/discussion with officers by arrangement prior to the meeting.

Members and the public are reminded that the plans printed in the Agenda are purely for the purpose of locating the site and do not form part of the application submitted.

Contact Officers :

Neil Crowther (Ext 37839) email neil.crowther@arun.gov.uk

Daniel Vick (Ext 37771) email Daniel.Vick@arun.gov.uk

David Easton (Ext 37698) email david.easton@arun.gov.uk

Note: Reports are attached for all Members of the Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.

Note: Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note: Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [PART 8 - CP - Section 5 Filming Photographic Protocol](#)

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Agenda Item 4

Subject to approval at the next Planning Committee meeting

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PLANNING COMMITTEE

19 February 2025 at 2.00 pm

Present: Councillors McDougall (Chair), Wallsgrove (Vice-Chair), Blanchard-Cooper, Gunner (Substitute for Bower), Hamilton, Kelly, Northeast, Partridge, Patel, Warr (Substitute for Lury) and Woodman

Councillors O'Neill, Penycate and Tandy were also in attendance for all or part of the meeting.

Apologies: Councillors Bower and Lury.

541. DECLARATIONS OF INTEREST

The Declaration of Interest Sheet set out below confirms those Members who had made a declaration of their personal interest as a Member of a Town or Parish Councillor or a West Sussex County Councillor, as confirmed in their Register of Interest as these declarations could apply to any of the issues to be discussed at the meeting:

Name	Town or Parish Council or West Sussex County Council [WSSCC]
Councillor Billy Blanchard-Cooper	Littlehampton
Councillor June Hamilton	Pagham
Councillor Martin Lury	Bersted
Councillor Mike Northeast	Littlehampton
Councillor Peggy Partridge	Rustington
Councillor George O'Neill	Littlehampton
Councillor Sue Wallsgrove	Barnham and Eastergate
Councillor Bob Woodman	Littlehampton

Councillor Warr declared a Personal Interest as a member of Bognor Regis and Bersted Parish Councils.

The Chair then called a short adjournment so that officers could deal with a technical issue.

The meeting was adjourned from 14:07pm and restarted at 14:12pm.

542. MINUTES

The Minutes of the previous Special meeting held on 29 January 2025 were approved by the Committee and signed by the Chair.

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543. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

There were no urgent items for the meeting.

544. LU/242/24/PL 1-5 ST MARTINS LANE, LITTLEHAMPTON BN17 6BS

Change of use to F1 and F2 community centre and place of worship. This application is in CIL Zone 4 (zero rated) as other development.

The Team Leader (Development Management) presented the update report to members. Where he explained that the application had been deferred at the Planning Committee held on 15 January 2025 to give time to WSCC Highways and Environmental Health (EH) to review further information submitted by the applicant to overcome their objections. WSCC Highways reviewed the Travel Plan and raise no objection to securing a condition requiring Travel Information Packs be provided to all users of the site and encouragement of using public transport. On this basis the reasons for refusal on the grounds of impact to highway amenity and parking provision was withdrawn.

An acoustic report and other supplementary information was also provided by the applicant to overcome the EH objection, however EH maintain their objection following review of the additional information. They cannot support the hours of use being 04:30am to 10:30pm due to the negative impact this would have on neighbouring amenities in the early hours of the morning. Members were also informed that there was an EH Officer virtually in attendance at the meeting in order to answer any additional questions they had. Finally, he confirmed that the council had been in contact with the applicant to discuss their current use of the United Reform Church, specifically in relation to early morning prayers. The applicant confirmed that the church had not been used for early morning prayers, nor was it used for all five daily prayers. But it was used for Friday prayers, Eid prayers and late evening prayers during Ramadan.

In summing up the Team Leader (Development Management), advised that in light of the updated comments received from WSCC Highways and EH, the recommendation before members was still to refuse the application, however there was now only one reason for refusal regarding noise pollution and its impact on neighbouring amenity.

The Chair then invited members to debate and or ask any questions they had, where the reasoning for EH maintaining their objection was thoroughly questioned, it was confirmed by the EH Officer that the 04:30am start time was the significant concern given the very close proximity of the residential houses. Members where of the opinion that other surrounding factors such as the Pub, the Bakery and local supermarket who all impact the noise levels during late or early hours from the pub's late night operating hours to early morning deliveries to the Bakery and Supermarket. Member's highlighted that the number of people who would be attending early morning prayers would be between 2 and 8 people of which they felt would not cause significant noise. The also

asked how many letters of objection had been received specifically from the neighbours located opposite the site where it was confirmed that due to the reporting of objections this information could not be provided, however 1 letter of support had been received from a nearby neighbour. It was asked if the applicant would be prepared to hold their morning prayers at another location, the Officer confirmed that the applicant had been asked if they would be willing to accept a condition to exclude early morning use to which they replied they could not accept a condition that prevented early morning prayers as this would directly impact, their fundamental religious obligations as well as explaining that it would the impact their right to freedom of thought, belief and religion of the Equality Act and Article Nine of the human rights Act 1998.

Members continued to question EH's objection and the rationale for causing substantial harm where it was asked if it had been considered that for those people attending early morning prayers, could they use the back door instead of the front entrance as this was situated by the supermarket and therefore would remove the concern of any noise impacting the residents located opposite the main entrance. It was confirmed that this had not been discussed with the applicant, however the plans did show an entrance at the back of the property adjacent to the Supermarket that could be used. Following further comments made the Group Head of Planning was invited to address the committee where he advised that the recommendation before them was based on the opinions of Planning Officers and Consultees, members did not need to accept these, as they were the decision makers. There was agreement from members that a condition should be added to state that for early morning prayers the back door was used as the entrance to the property.

As there were no further comments the Chair asked members for a proposer and seconder for the officer recommendation where it was confirmed that the recommendation was proposed by Councillor Woodman and seconded by Councillor Partridge. Upon the vote being taken the recommendation FELL. The Chair then advised members that they now needed to agree a new recommendation and invited the Vice-Chair to address the Committee, where she stated that she would like to see a condition added to ensure that those people attending early morning prayers, only enter the building via the back door.

It was stated by the Group Head of Planning that there had been some suggested conditions drafted by the Team Leader (Development Management), the Chair then invited him to update the committee with these conditions.

The development begins within three years. The development complies with the plans that have been submitted. There be no sound reproduction or amplification equipment which is audible outside the site boundary. The times that the building was allowed to operate is from between 4:30am and 10:30pm every day of the week. The applicants to submit a noise management plan to include entry to the site via the back entrance for early morning prayers. Also, within the noise management plan, it should detail management responsibilities, for example how the applicants will seek to control the people who visit. One of those suggestions could be do not park in the allocated parking spaces for the site, park in the Council's car park. The need to ensure that the parking spaces provided are bought into use because they are changing. Also, the

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county council's condition for a travel information pack being provided to encourage use other than by car. The applicants have also suggested that up to 150 people could attend the site at any one time so a condition, stating no more than 150 people would be required. There would also be a need for two informative conditions these being a general one to say why the decision has been made and a second to state the biodiversity net gain was not relevant in this application.

The Chair then confirmed with the Committee that they were clear on the suggested conditions as presented by the Planning Team Leader. The recommendation to approve the application as per the conditions was then proposed by Councillor Northeast and seconded by Councillor Wallsgrove. The Chair then invite the Committee Manager to undertake a recorded vote where the result was.

Those voting FOR were Councillors Blanchard-Cooper, Gunner, Hamilton, Kelly, McDougall, Northeast, Partridge, Patel, Wallsgrove, Warr and Woodman (11). Therefore, the application was unanimously approved.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

545. AL/89/24/OUT LAND AT WOODGATE NURSERIES, LIDSEY ROAD, WOODGATE

1 Public Speaker

Nigel Jarvis, Agent

Outline planning will all matters reserved (except access) for the demolition of existing redundant nursery buildings and other structures and erection of a residential development of with up to 130 No. dwellings, informal, and formal public open space, landscaping, drainage and other associated works. This application may be a Departure from the Development Plan.

The Planning Officer presented the report to members with updates.

The recommendation was proposed by Councillor Partridge and seconded by Councillor Blanchard-Cooper.

The Chair then invited member debate where it was stated that it was pleasing to see that Southern Water were going to complete the reinforcement works. A question was raised regarding the square meter footage of the play area was raised where it was confirmed that this was conditioned within the application and the detail could be seen at condition 8. As there were no other comments, the Chair went to the vote.

The Committee

RESOLVED

DELEGATED to the Group Head of Planning in consultation with the Chair or Vice-Chair authority to grant outline planning permissions subject to conditions and subject to a Section 106 Agreement, the terms of which are substantially in accordance with those set out in the report with any minor amendments authorised by the Group Head of Planning. Should the Section 106 not be completed, then the application shall be refused, for the following reasons the absence of affordable housing provision, lack of travel plan and highway improvements necessary to make the development acceptable.

546. FG/92/24/PL LAND REAR OF 1 SEA ROAD, FERRING BN12 5HD

1 No dwelling. This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

The Team Leader (Development Management) presented the report update to members which had been brought to Committee to correct inaccuracies in the previously presented presentation. The officer confirmed that the update report made no change to the original recommendation of approval, members were being asked to reconsider the application with the correct measurements.

The recommendation was proposed by Councillor Patel and seconded by Councillor Gunner.

As there was no member debate, the Chair put the recommendation to the vote.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

547. WA/52/24/ERS LAND WEST OF YAPTON LANE, WALBERTON

4 Public speakers

Andrew Vawer, Walberton Parish Council
Martin Downs, Objector – Not present
Peter Cleveland, Agent
Councillor Mel Penycate, Ward Member

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Approval of reserved matters relating to appearance, landscaping, layout and scale for the erection of 48 dwellings, dental surgery (use class E(e)), substation, foul-pump station, public open space and associated works pursuant to outline application WA/2/22/OUT. This application may affect the setting of listed buildings and may affect the character and appearance of the Walberton Village conservation area. This application is in CIL zone 3 and is CIL liable for new dwellings.

The Planning Officer presented the report to members with updates.

The recommendation was proposed by Councillor Partridge and seconded by Councillor Woodman.

Upon the Chair opening debated there were comments from members relating to the affordable housing mix figure and the suggestion of Grampian conditions being considered in relation to sewage and flooding experienced in the area. The Chair invited the Group Head of Planning to address the committee where he reminded members that the report before them was a reserved matters application and confirmed that the only matters for determination were those on layout, appearance and scale.

There was clarification sought regarding how many of the properties would be wheelchair complaint, the officer confirmed it was 2 properties which was in line with policy as well as 48% of the properties built to be wheelchair accessible with the ability to then be fully converted when purchased. One member raised that they felt the design of the properties were out of keeping with the surrounding area, no other comments were then made, so the Chair put the recommendations to the vote.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

548. WA/65/24/PL LOWER FARM, YAPTON LANE, WALBERTON BN18 0AS

1 Public Speakers

John Hall, Agent

Addition of 3 No. 5ha glasshouses, ancillary structures and reservoir to existing permission for 1 x 5ha glasshouse and reservoir. This application is in CIL Zone 3 (Zero Rated) as other development.

The Planning Officer presented the report to members with updates.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor Blanchard-Cooper.

In opening debate on the application, the Chair invited the Vice-Chair to address the committee where she stated that she was pleased to hear that the runoff surface water would be filtered before it entered the rife, along with the blackout screens to minimise light pollution impact. A concern was raised regarding the height of the glasshouses and were they sloped or a different height near the other buildings and there was surprise that there had been no objections received from the buildings nearby. The officer confirmed that the glasshouses were not different heights, 2 comments had been received but neither of these where from the nearby building occupiers.

As there were no other comments or questions to be asked the Chair put the recommendation to the vote.

The Committee

RESOLVED

That delegation be given to the Group Head of Planning in consultation with the Chair and Vice-Chair with authority to APPROVE CONDITIONALLY SUBJECT TO A S106 AGREEMENT.

549. APPEALS

Members noted the appeals report.

550. PLANNING COMMITTEE REPORT Q3 PERFORMANCE

The Group Head of Planning presented the report to members explaining that provided the committee with and update on the quarter 3 performance outturn for its key performance indicators. He stated that he was pleased to report that as set out in the report for indicators CP26, 27 and 28 the team had achieved a green status all of those indicators and more recently the data showed the team to be excelling in these areas. He confirmed that 157 applications had been determined within the timeframe and the only applications that had not been achieved within timeframe were those which had a s106 required or that had needed to come to committee for determination. In summing up he confirmed that the rolling 12-month data showed very good performance overall and stated that over the last 4/5 years performance had improved significantly and continued to do so.

In opening debate, congratulations and thanks to the planning team was expressed. A query was raised as to why the committee was receiving KPI's for all committees and not just its own relevant indicators where the Group Head of Planning provided and explanation for the change in reporting. With no other comments wanting to be made, members noted the report.

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551. APPEALS 2024 REPORT

The Group Head of Planning presented the report to members where he explained that the report outlined how the Council had performed in the calendar year of 2024 in respect of appeals. He also advised that item 14 presented in the agenda was the appendix to this report and not a separate agenda item to be discussed. He confirmed that significant improvement had been made over the last 6/7 years in this area and that this was first year the team had achieved a 75% dismissal rate, which demonstrated an improvement in the quality of decision making.

The Chair stated that he was pleased with the good all-round performance from the team. As there were no other comments or questions, members noted the report.

552. APPEALS SUMMARY 2024

The Group Head of Planning confirmed that this agenda item was the Appendix to Agenda Item 13.

(The meeting concluded at 3.34 pm)

PLANNING APPLICATION REPORT

REF NO: BR/2/25/PL

LOCATION: 20 Sudley Road
Bognor Regis
PO21 1EU

PROPOSAL: Proposed rear extensions to form 2 No. flats with associated works, including external alterations to the existing building. This application is in CIL zone 4 (zero rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks two-storey and single-storey rear extensions to form 2 No. flats alongside associated works that include external alterations to the existing building.

SITE AREA 408sqm.

RESIDENTIAL DEVELOPMENT DENSITY 171 dwellings per hectare.

TREES 1 small-medium sized ornamental tree in rear parking area.

BOUNDARY TREATMENT Open frontage to the street, neighbouring building to northwest and southeast, approx. 2m tall concrete wall to southeast boundary in rear of plot and approx. 2m tall brick boundary wall to rear (northeast) boundary.

SITE CHARACTERISTICS The site is occupied by a two-storey, ornate building comprising of five flats. The site has a shared side access with parking and bin storage facilities to the rear of the site. The host building is a Non-Designated Heritage Asset.

CHARACTER OF LOCALITY The site is in the dense urban environs of Bognor Regis with primarily, large 2-3 storey buildings in residential use, with many being residential flats, characterising the locality. Bognor Regis Railway Station is a short distance to the north and the foreshore is a short distance to the south.

RELEVANT SITE HISTORY

BR/259/19/PD Notification for Prior Approval under Schedule 2, Part 3, No Objection Class O for a proposed change of use from office use on 21-11-19 ground floor (B1(a)) into 2 No. flats (C3 Dwellinghouse).

BR/259/19/PD granted prior approval for the change of use of a ground floor office use to two flats.

REPRESENTATIONS

Bognor Regis Town Council - Objection:

- Concerns about the lack of parking provision and generate excessive on-street parking demands harmful to public amenity.
- Concerns the parking surveys were conducted in the early hours and do not reflect excessive parking demand during the day.
- Concerns the external amenity space provision is insufficient.
- Concerns that the proposal results in an intensification of a use that adversely affects the character of the area which would affect the public and neighbour amenities.
- Interested how the applicant intends to overcome private sector housing concerns.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. All relevant planning matters addressed within the conclusions section of this report. It should be acknowledged that the proposal does propose a House in Multiple Occupation use.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways:

- Consider that overspill parking could be accommodated within the wider highway network.
- Based upon the availability of sustainable alternatives to the use of a car and opportunities for public parking, WSCC Highways do not consider that highway safety would be detrimentally affected through the proposed nil car parking provision.
- Do not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the NPPF (para 116), and that there are no transport grounds to resist the proposal.
- Recommend a condition to secure cycle parking.

Natural England (13/02/25) - Further information required:

- Recreational pressure impacts to European Sites (habitats sites).
- The proposal is within the Zone of Influence to one or more European Sites (habitats sites).
- Your authority has measures in place to manage these potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).
- These measures should be checked via an appropriate assessment and provided they are secured, it is likely that Natural England will be satisfied that there will be no adverse effect on the integrity of the European Site(s) (habitats site(s)) in relation to recreational disturbance.

Environmental Health - No objection.

Southern Water:

- The proposal is likely to build over or near a public sewer. Building over a public sewer is not normally permitted.
- An investigation of the sewer is required before Southern Water can confirm it is acceptable to allow building-over/close-to the sewer.
- Pre-commencement condition requested requiring the developer to advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers.

Drainage Engineers - No response at this time.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. All relevant planning matters addressed within the conclusions section of this report.

Given the scale of development, relevant 'build over' licenses or alternatives related to the public foul sewer are a matter that should be dealt with outside of this application between the developer and Southern Water.

Natural England responded prior to the finalising and signing of the Section 106 agreement pertaining to the mitigation of recreational pressures. The matter of recreational pressure mitigation has been addressed.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary.

Locally Listed Building of Character.

Pagham Harbour Zone B.

Article 4 Direction.

Economic Growth Area.

2km Buffer for Site of Special Scientific Interest.

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVSP1	ENV SP1 Natural Environment
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity
HERSP1	HER SP1 The Historic Environment
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
WDM2	W DM2 Flood Risk
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

Bognor Regis Neighbourhood Plan 2015 Policy 2 Promoting the Seaside Identity

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
SPD9	Buildings or Structures of Character

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 complies with relevant Development Plan policies in that it would provide an additional two residential units in a sustainable location without compromising the visual amenities of the area, the residential amenities of occupiers or neighbours, or unacceptably compromising highways safety.

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 proposal would, albeit to a limited degree (two units), contribute to The Council's limited Housing Land Supply. There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The site benefits from being within the Built-Up Area Boundary in which the principle of residential redevelopment is acceptable. Policy SD SP2 of the Arun Local Plan (ALP) seeks to focus development within the Built-Up Area Boundary, subject to consideration of other relevant Development Plan policies.

Sections P, H & J the Arun Design Guide (ADG), and the Arun Parking Standards are of relevance.

CHARACTER & DESIGN

The two-storey component of the extensions are not visually subservient features. It is not set in from the northwest (side) elevation or down from the main roof of the building, and it projects deep into the plot. It is set in from the southeast (side) elevation, but this alone does not ensure subservience. Whilst it is not visually subservient, the use of matching materials and meeting the extents of the building, means the two-storey component would remain visually integrated to the building, and by matching the form of the roof and following the general layout of fenestrations, it remains sympathetic to the character of the building. It would be read in the context of a very large, non-subservient rear extension of the similar property immediately south of the unit. This very large neighbouring extension is excessive in scale and unsympathetic to its host building. It was built under a historic planning context and is not an extension of a design that should be aspired to replicate, but it remains part of the established character of the area and the context in which this proposal would be appreciated. The proposals scale and bulk are acceptable.

The single storey component, by virtue of its scale and height, reads clearly as a subservient feature. It is visually integrated to the rear of the building.

Due to the scale of the extensions, the proposal would occupy most of the rear of the plot which serves as a parking area and bin storage. The scale and massing of the extensions is acceptable in relation to the building and the plot, but they would compromise the current parking provisions to the rear of the site.

There would be a slight alteration of the forward elevation in that the existing, set back single storey side extension would have its door and windows replaced with a single window. This side component is read separately from the ornate, prominent frontage and the proposal would otherwise preserve the frontage of the unit which is mirrored along the street which is positive.

There would remain some rear external space at the site, which has been proposed to function as a bin and cycle storage area which is positive.

Notwithstanding the lack of subservience, which is not a reason for refusal for the reasons outlined above, the proposal is in accordance with policies D SP1, D DM1 & D DM4 of the ALP.

QUALITY OF ACCOMODATION

The proposed units are compliant with the Nationally Described Space Standards (NDSS) in so far as the internal amenity space provisions and room dimensions are concerned. Flat 1 is undersized in terms of internal space provisions however, it is not a new unit. The proposal does not increase or decrease Flat 1's internal space but does rationalise its layout. Whilst not compliant with the NDSS, Flat 1 is an existing unit and would only be improved by virtue of the works proposed. The proposal involves the installation of two rooflights for Flat 1, which would improve light accessibility in the unit.

The proposal is compliant with Policy D DM2 of the ALP.

Policy QE SP1 requires development to not have significantly negative impacts on residential amenity. The flats on site do not benefit from any designated external private amenity space and this would remain unchanged. With respects to natural light access, each new bedroom benefits from at least one window, and they both benefit from more than one window to lounge/kitchen spaces which is acceptable.

The loss of private parking provision will have some adverse impact on residential amenities, but for the reasons outlined with the transport and parking section of this report, sufficient alternative transport options and connections would remain, and WSCC Highways are content with the evidence provided that indicates the site's potential parking requirements could be accommodated in the area.

The existing flats do not benefit from significant private amenity space, communal or otherwise. New flatted development should benefit from adequate space, and should be safe, usable, designed to a high standard and well managed in line with Section H.04 of the Arun Design Guide. The site is an approx. 300m walk from Hotham Park, and 380m walk from the seafront, alongside other public parks in an 800m radius. Although there is outdoor amenity space relatively nearby, it is some distance from the site and does not benefit from privacy. As an in-centre location, a lack of designated private amenity space is not uncommon for flatted developments, of which the host site is an example, but this is not a virtue nor policy compliant. A lack of designated private amenity space for this proposal is not alien for the site's context.

Given the Council's lack of housing land supply and that the proposal would provide two additional residential units, and given the context of the existing site, the lack of designated private amenity space for the new flats would not result in adverse impacts such that they would significantly and demonstrably outweigh the benefits of the proposal.

The proposal is in accordance with Policy D DM2 of the ALP, but not QE SP1 of the ALP by virtue of the lack of private amenity space. However, for the reason outlined above, this conflict is not of such harm that it warrants a reason for refusal in accordance with Paragraph 11d(ii) of the NPPF.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal would be in slight breach of the 45-degree rule when taken from 22 Sudley Road as laid out in Sections J & M of the Arun Design Guide and illustrated on the site plan. The extensions would not however, breach the 70-degree rule when taken from the shared site boundary and given the dense urban nature of the area, a minor breach of the 45-degree rule is not unacceptable. The proposal would not have any unacceptable overbearing or overshadowing impacts on neighbouring buildings.

Proposed ground-floor openings generally provide views of the host site and are met by boundary treatment or neighbouring buildings/parking areas.

There are two first-floor rear (northeast) facing windows, and three first-floor side (northwest) facing windows proposed. Those facing northeast serve a bathroom and kitchen/lounge and look out primarily to the car park at the rear, but also toward the rear gardens of Nos. 45 & 47 Lyon Street. These gardens are approx. 18-24m in depth each and although the new opening to the kitchen/lounge would be closer to the rear boundaries of these properties, the gardens already receive a degree of overlooking to be expected within a dense urban area, and the closer proximity of the window would not unacceptably compromise the privacy of these properties, maintaining more than 21m between rear openings.

The northwest facing windows serve a hallway, bedroom, and kitchen/lounge and would look toward the side elevation of the neighbouring building (22 Sudley Road). The hallway window would serve a transitional space and look towards a first-floor side window of No. 22 that is obscure glazed. The bedroom and kitchen/lounge windows would look out over the rear parking area of No. 22 and toward the side elevation of No. 22 where no first-floor side windows are situated. These windows would not give rise to adverse overlooking impacts.

The proposal would have some limited adverse impacts on neighbouring residential amenity, but it would remain in accordance with policies QE SP1, D DM1 & D DM4 of the ALP.

TRANSPORT & PARKING

Para 116 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Arun Design Guide (Sections I.01, I.02 and I.03), and the Arun Parking Standards include guidance on the provision and design of car parking, electric vehicle bays and charging points, and cycle parking.

Existing on-site car parking provisions would be lost as a result of this proposal. Sudley Road benefits from a resident parking permit arrangement. Existing and new occupiers that require parking are proposed to make use of this scheme.

The Arun Parking Standards identifies that 1-bed dwellings in this Parking Zone should be provided with an off-street private parking space per unit.

Policy T SP1(d) states 'Incorporates appropriate levels of parking in line with WSCC guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking...'

The proposal is not in accordance with the Arun Parking Standards due to the lack of parking provisions however, there are a number of factors that can reduce the parking demand in dense urban contexts. In such contexts, evidence is required to quantify parking pressures in the area and rationalise the likely parking demand of the development in question to assess how the proposal would impact the local road network. Policy T SP1 of the ALP allows for consideration of this by stating that 'The Council will support transport and development which:... Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking...'. Whilst the proposal is not in accordance with West Sussex or Arun Parking Standards, the evidence provided takes into account the impacts of the development as outlined below.

Parking Beat Surveys were undertaken on Tuesday the 24 September 2024 at 04:50 and Wednesday the 25 September 2024 at 05:10. These times accord with the Lambeth methodology for parking beat surveys and would be representative of residential parking pressures and demand as they are in the early hours of the morning ahead of peak working hours when residents may leave for work.

The Parking Surveys identified an equivalent of 112 on-street car parking spaces, as well as a public car park which has space for 61 cars and 5 blue badge bays within a 200m walking distance of the site. For the 112 on-street parking spaces in the area, there was minimal variation between the parking occupancy in each survey, and an average of 58% maximum space occupancy was recorded. Meaning 47 (42%) on-street spaces remained available for parking at these times. This is considerably below the '85% threshold' at which a road network is considered to be under parking stress.

The census data for the local output area and surrounding areas has been provided and assessed to determine how many flats within the local area have a car. The 2021 Census data for the area indicated that out of 820 flats, 52% of households had no car, 39% had one car and 8% had two or more cars. The likely outcome is that the site would require one parking space for every two flats. The existing site provides four parking spaces which would be displaced, and the data indicates the two new units would likely need only one space for the two units. This would result in a displacement of five cars to the on-street parking provisions of the locality, resulting in an increase to 63% parking stress in the area which remains considerably lower the '85% threshold' at which the area would be considered under parking stress.

WSCC Highways have reviewed the submitted supporting documents and raised no objections. It should also be recognised that the site is 0.3 miles from Bognor Regis Railway Station, within very short walking distance of four bus stops, and close to the Bognor Regis Town Centre. The site is in a very sustainable location with alternative transport methods and amenities in walking distance.

The proposal includes a cycle storage shelter that will provide seven cycle spaces (one for each flat) and will be secured by way of condition.

Whilst the proposal would not provide off-street parking in line with the West Sussex or Arun Parking Standards, the proposal has evidenced that the car parking requirements for residents of the site could be adequately accommodated in the local area without unacceptably compromising the amenity of residents or highway safety in the area.

Whilst the proposal is not in accordance with parking guidance, the proposal is in overall accordance with policies T SP1 & T DM1 of the ALP, and Paragraph 116 of the NPPF.

HERITAGE

Policies 1 & 2 of the Bognor Regis Neighbourhood Plan (BRNP) state that 'extensions and alterations of... Non-designated Heritage Assets... should demonstrate how proposed changes will support the delivery of relevant Neighbourhood Development Plan Objectives and our Vision for Bognor Regis.

Proposals must identify the significance of any affected heritage asset and assess any harm and benefit.' and; 'Proposals within the 'Wider Town Centre Area' and concerned with extensions and alterations to the exterior of Designated and Non-designated Heritage Assets and their settings must adhere to a 'Secure, restore and boost our seaside identity first' principle by echoing and responding eloquently and innovatively to the local built environment character and setting.'

The building is a Locally listed Building of Character (a Non-designated Heritage Asset), as are immediate neighbours (Nos. 8, 12, 14, 16, 18 and 22), which combined, form an attractive group. There are a number of Grade II Listed Buildings within the vicinity, but the proposal is primarily to the rear of the site and has little to no visual impact on Sudley Road. Impacts on the neighbouring Heritage Assets are very limited. The significance of the host building is primarily drawn from its architectural qualities, particularly its principal elevation which would remain mostly unaffected by the proposal.

Whilst the proposal includes the replacement of a door with a smaller window on the front elevation of the existing single storey side extension, this change is minor, and the extension is set back and of a different character to the main building. This alteration would not detract from the main elevation.

The proposals would preserve the significance and settings of all relevant heritage assets, and the proposal would have a neutral impact upon them and is in accordance with policies HER SP1 & HER DM2 of the ALP and policies 1 & 2 of the BRNP.

The proposal is in compliance with relevant paragraphs 207, 208, 210 & 216 of the NPPF pertaining to the conservation of the historic environment.

BIODIVERSITY & ECOLOGY

The proposal is a residential development within Pagham Harbour Zone B and a contribution of £950 per new residential unit is required and has been secured by S.106 agreement. This is secured to mitigate recreational pressures within the Pagham Harbour SPA that may arise from the construction of new residential units.

Arun District Council are required to carry out an Appropriate Assessment (AA) where appropriate to assess the impact of the proposal on the Pagham Harbour Special Protection Area (SPA). Given the scale of the existing building and proposals and the dense urban grain of the area, this proposal would not incur any direct harms to the SPA, and impacts would be limited to potential recreational pressures arising from the development for which the appropriate funds for recreational disturbance mitigation have been secured by s106 agreement. No further Appropriate Assessment is required as it has been

screened out.

The proposal is in accordance with Policy ENV DM2 of the ALP.

The site is within the 2km Buffer for Site of Special Scientific Interest (Bognor Reef & Felpham), and Pagham Harbour is also a Ramsar Site. Given the scale of the development, that it is a brownfield site and within a dense urban grain, the proposals would also have no adverse impact on these zones in accordance with Policy ENV SP1 of the ALP.

The site is almost wholly built over and meets the de-minimis exemption from Statutory Biodiversity Net Gain. The site has minimal ecological value with the exception of a small-medium ornamental tree within the rear of the site. Conditions securing the provision of two bird boxes at high level on the rear elevation have been attached to ensure the proposal would provide some biodiversity net gain in accordance with Policy ENV DM5 of the ALP.

The proposal is in accordance with policies QE SP1 & ENV DM5 of the ALP.

DRAINAGE & FLOOD RISK

The proposal site is not within any surface water flooding areas, is in Flood Zone 1 (low risk), and is at low risk of Groundwater Flooding.

Sudley Road features a separate foul and surface water sewer, and the site is anticipated to drain foul water and surface water to each in kind. The applicant has advised that given the extent of the footprint, the spatial constraints of the site, and proximity of nearby buildings, infiltration drainage methods have been ruled out. This is because Building Regulations typically requires that soakaways and similar surface water infiltration features are to be sited at least 5m from nearby buildings. There are no watercourses on or near the site, and as such, the proposal seeks to connect its surface water drainage to the surface water sewer nearby.

ALP policy W DM3 requires all development to identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) as appropriate to the size of development and will support proposals that do. The proposal seeks to divert the surface water drainage of the new 45sqm footprint to a water butt and rainwater garden planter ahead of outfall to the surface water sewer. Connection to the surface water sewer would be subject to consent from Southern Water.

The Council's Drainage Engineer's have not been able to provide comment at this time. Comments are anticipated ahead of the Committee meeting and will be included in a report update, alongside any alteration to the recommendation or conditions attached to this recommendation. In the absence of a response, a relevant pre-commencement drainage condition has been attached to this recommendation and the applicant's agreement to the condition has been requested.

Subject to relevant conditions, the proposal is in accordance with policies W DM2 & W DM3 of the ALP.

ENERGY EFFICIENCY

Policy ECC SP2 requires new residential development to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low carbon energy supply systems such as solar panels. To ensure that adequate decentralised, renewable, and low carbon energy supply systems are secured, a condition has been attached to this decision.

The proposal would be in accordance with relevant Development Plan policy ECC SP2 of the ALP.

WASTE MANAGEMENT

Policy WM DM1 of the ALP requires development to ensure that kerbside collection is possible for municipal waste vehicles. It appears the existing bin store and collection procedure could be retained. The site has proposed a dedicated bin storage area and would continue to utilise the existing kerbside collection methodology.

The proposal is in accordance with Policy WM DM1 of the ALP.

SUMMARY

Subject to relevant conditions, and for the reasons outlined above, the proposal is in accordance with relevant Development Plan policies and is recommended for approval subject to the following conditions and informatives.

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.

SECTION 106 DETAILS

The decision would be granted with a S106 legal agreement relating to a contribution of £1900 already paid towards the cost of delivering measures to avoid or mitigate to an acceptable level, the harm caused to Pagham Harbour by the development.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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 & documents:

- Proposed Details March 2024 (2024/40, Sheet 3 of 3).
- Proposed Details March 2024 (2024/40, Sheet 2 of 3).
- Sustainable Drainage Assessment 83300.01R1 (Dated: 16/09/24).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 Prior to the commencement of development, full details of the proposed surface water drainage scheme must be submitted and approved in writing by the Local Planning Authority. The full details submitted for approval shall include:

1. Winter groundwater monitoring,
 2. Winter infiltration testing strictly in accordance with BRE DG 365 or similar approved,
 3. Details of the proposed method and location of surface water disposal, in accordance with the SuDS hierarchy,
 4. Impermeable area plan,
 5. Calculations modelling the surface water drainage network for the following storm events:
 - a. 100% Annual Exceedance Probability
 - b. 10% AEP + climate change allowance
 - c. 3.3% AEP + climate change allowance
 - d. 1% AEP + climate change allowance
- All storm events must include an allowance for urban creep and surcharged outfalls where appropriate,
6. Detailed drainage plans conforming to Local Planning Authority guidance,
 7. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,
 8. Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SuDS scheme.

The scheme shall then be constructed as per the approved plans. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the Local Planning Authority.

Reason: In order to comply with Arun Local Plan policies W DM2 & W DM3 and the NPPF.

- 4 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the location shown on the approved site plan within 'Proposed Details March 2024 (2024/40, Sheet 2 of 3)'. The spaces so provided shall be retained in perpetuity.

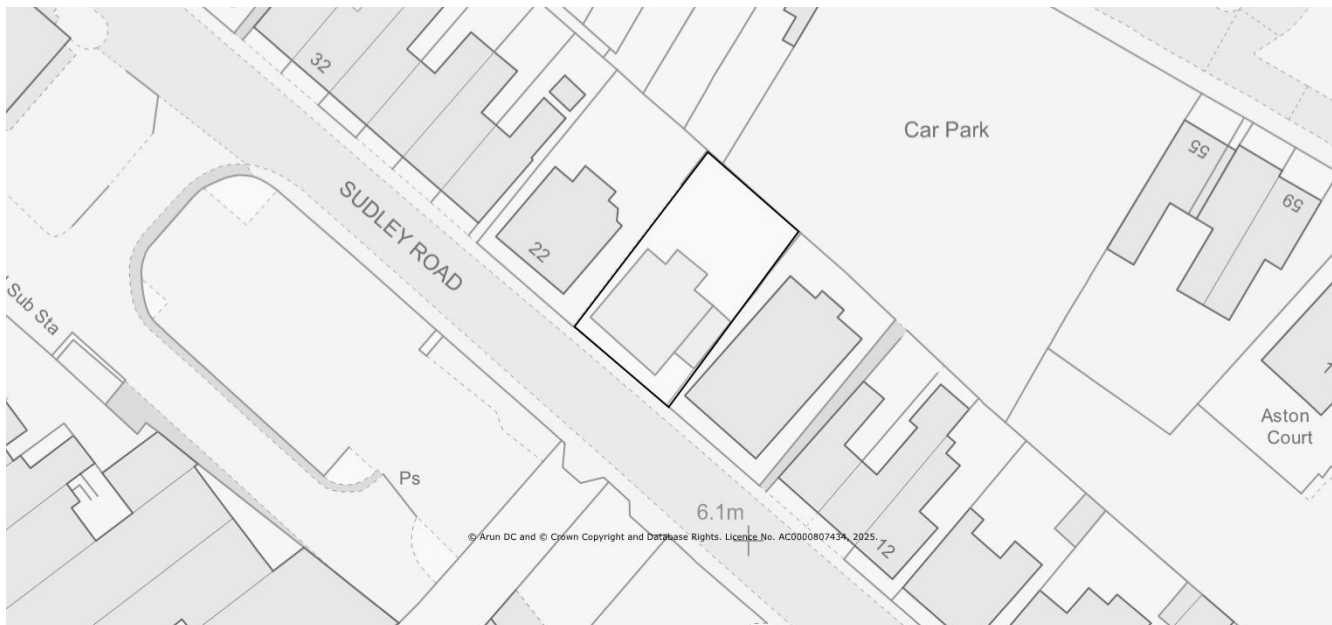
Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 5 Prior to the occupation of the dwellings hereby approved two bird boxes shall be installed a maximum of 0.3m below the first-floor eaves of the eastern elevation of the building.
- Reason: To provide ecological enhancement and biodiversity net gain on site in accordance with Policy ENV DM5 of the Arun Local Plan.
- 6 The materials and finishes of the external walls, roofs, windows, and doors of the development hereby permitted shall match in colour and texture those of the existing building.
- Reason: In the interests of amenity in accordance with Arun Local Plan policies HER SP1, HER DM2, D DM1 & D DM4.
- 7 The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of the dwellings and shall be thereafter permanently maintained in good working condition.
- Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and Arun Local Plan policy ECC SP2.
- 8 Demolition/construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.
- Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1.
- 9 **INFORMATIVE:** It appears that the developer is intending to build-over/close-to a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over/close-to the sewer. The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The conditions and application associated with the build-over/close-to a public sewer are available at Southern Water's Get Connected service: <https://developerservices.southernwater.co.uk>.
- For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk.
- 10 **INFORMATIVE:** This decision has been granted in conjunction with a Section 106 legal agreement relating to the payment of a £1900 contribution for the mitigation of potential recreational pressures of new residential developments on the Pagham Harbour SPA.
- 11 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 by clicking on this link and clicking on View Documents.

BR/2/25/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: FG/14/25/PL

LOCATION: 275 Goring Way
Ferring
BN12 5BY

PROPOSAL: Partial removal of rear extension of 275 Goring Way and erection of 1 No. self-build chalet bungalow in garden of 275 Goring Way with associated landscaping and parking. This application is in CIL zone 4 and is CIL liable.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks permission for the erection of a self-build chalet bungalow in garden with associated landscaping and parking. This includes the partial removal of an extension to the rear of No. 275.
SITE AREA	0.1ha
RESIDENTIAL DEVELOPMENT DENSITY	20 dwellings per ha
SITE CHARACTERISTICS	Site comprising 1 no. single storey link detached bungalow, with associated parking and garden.
CHARACTER OF LOCALITY	Predominantly residential. Ferring C of E Primary School is to the south of the site. Ferring Village centre is around 200m west, comprising retail and commercial units.

REPRESENTATIONS

Ferring Parish Council - Objection:

- Object on environmental and drainage grounds.
- This area already has a significant issue with flooding, of which the additional building will exacerbate.
- There appears to be no consideration to address drainage / flooding issues.

One letter of no objection received from nearby occupiers:

- Concern raised in regard to potential issues with extra vehicles entering and exiting the main drive near the bus stop.
- Concerns the east facing dormer window may possibly face their garden and remove privacy.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. All material planning considerations will be discussed below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC ENVIRONMENTAL HEALTH

No objection, subject to conditions restricting the hours of construction work on site, and securing a scheme for the provision of EV charging points.

WSCC HIGHWAYS:

No objection, subject to a condition securing the car parking details, and another requiring further details to be submitted in regard to cycle parking.

ADC TREE OFFICER

Awaited.

ADC ECOLOGY

Awaited.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Requested conditions are applied below.

POLICY CONTEXT

Built-Up Area Boundary
 Prone to Groundwater Flooding
 CIL Charging Zone 4

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
ENVDM4	ENV DM4 Protection of trees
ENVSP1	ENV SP1 Natural Environment
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
WSP1	W SP1 Water

[Ferring Neighbourhood Plan 2014 Policy 10](#) Sustainable water management

Ferring Neighbourhood Plan 2014 Policy 1A A Spatial Plan for the Parish

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 complies with relevant Development Plan policies in that there would not be adverse harm to visual or residential amenity, highway safety, biodiversity, flooding, drainage, or the character of the area.

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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The site is in the built-up area boundary where the principle of residential development is established by Policy SD SP2, subject to the details of the scheme according with other relevant policies in the Plan.

The relevant development plan policies are Arun Local Plan (ALP) policies D DM1, D DM2, D DM4, D SP1, ECC SP2, ENV DM4, ENV DM5, ENV SP1, QE SP1, SD SP1, SD SP2, T DM1, T SP1, W SP1, W DM2 and W DM3. Ferring Neighbourhood Development Plan (FNDP) policies 1A and 10, the NPPF and other supplementary planning documents which will be referred to below.

Part P (Infill Development) of the Arun Design Guide (ADG) seeks to ensure development reflects or

improves the character of the site and the surrounding area, minimises the impact on neighbouring land/residents, provides appropriately sized internal space standards and provides safe access on to the highway network and incorporates appropriate levels of parking in line with WSCC guidance on parking provision.

Parts J (Building Design) (section J.01, Form and Character) and H (Welcoming Streets and Spaces) of the Arun Design Guide are of relevance.

The NPPF (2024) gives a presumption in favour of sustainable development, generally seeks to promoting effective use of all land whilst maintaining an areas prevailing character (paras 125 and 129).

BROWNFIELD LAND

Paragraph 125(c) of the NPPF states that, within planning decisions, substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Annex 2 gives the definition for brownfield (referred to as 'Previously Developed Land'). Whilst this includes land which is within the curtilage of other developed land, land which falls within built-up areas such as residential gardens is excluded from being classified as 'Previously Developed'.

As such, in this instance, the site is not classified as brownfield land, forming the residential garden of No.275.

DESIGN AND VISUAL AMENITY

Policy D SP1 of the ALP states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees, and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the surrounding environment.

Policy D DM4 concerns extensions and alterations to existing building. In this case, this policy is relevant to the partial loss of the rear extension. The removal of this extension is acceptable, and in compliance with D DM4 of the ALP.

The Arun Design Guide SPD provides design guidance. This includes Section P.01 on Infill Development which provides detailed guidance on the redevelopment of sites, and Section J.01 which concerns building design, in particular form and character.

This proposal seeks the development of a garden space to the west of No.275, at the end of a long row of similarly styled bungalows, to construct a one and half storey detached bungalow.

Goring Way is characterised by single storey bungalows, some of which have been converted to one and a half storeys with loft conversions therefore, allowing the principle of a new one and half storey bungalow to be acceptable in the composition and character of the street. The proposed bungalow mirrors the design styles set by six of the closest neighbouring bungalows to the east, matching the existing in terms of style, character, size, and massing. It has a roof form reflecting Nos 273 and 267 to the east. As a result of this, the bungalow would integrate sensitively in the street scene. The design, style and scale is sympathetic of the surrounding context, by following that of the established neighbouring properties. This is appropriate, given the established and set design style, composition, and appearance of the street scene. In terms of its design, the proposal is acceptable, by virtue of its appearance being in keeping with the street scene; and subsequent minor harm in terms of visual amenity on the existing property and surrounding locality.

The land to the side of No.275 is separated from Sea Lane to the west by a large green verge, footpath, and trees. The introduction of another dwelling, matching that in scale, style, and massing to the existing properties on Goring Way, would not unduly obtrude or dominate the street scene of Sea Lane, and would be sufficiently set away from the road. As a result, the proposal would have little impact on the visual amenity or appearance of this road.

A porthole style window has been included to the first floor of the principal elevation. Whilst not a design feature largely seen in this street scene, this feature is not adversely out of character with the surrounding properties, and is a sensitive approach to providing light into the upper floor of the property. The proposal material palette comprises half brick, half white render, with brown tiles. This would match the existing materials of No. 275, and are appropriate for use in this location.

In terms of scale and massing, this property is suitably sized and would retain a sufficient amount of land to both the front and rear of the site. It would not appear as an overdevelopment of the land; being an appropriate scale and massing for this plot, and not being overly cramped or out of place. This dwelling reflects the composition and massing of the other bungalows along Goring Way, and remains in keeping with the established spatial character of this area.

The proposal would not result in harm to the character and visual amenity of the area and is compliant with policies D DM1, D DM4 and D SP1 of the Arun Local Plan, relevant paragraphs of the NPPF, and the Arun Design Guide (SPD).

RESIDENTIAL AMENITY

Policy QE SP1 (ALP) requires development to ensure it does not have a significantly negative impact on residential amenity. Policy D DM1 (ALP) requires development to have a minimal impact to users and occupiers of nearby property and land.

The Arun Design Guide deals in part H.04 with separation distances between habitable rooms: Back to Back: min. 21m between habitable rooms of properties or to existing buildings. Back/Front to Side: min. 14m between habitable rooms and side gable of adjacent property. Front to Front: min. 16m between habitable rooms of properties facing each other. Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

The dwelling is one and half storeys, with a ridge height of 5.36m to match that of No.275. The eaves are approximately 2.6m high, mirroring that of No.275. The dwelling will retain a minimum distance of 1m to the eastern boundary, 16.07m to the south, 0.6m to the west, and 10.97m to the north. 2.3m would be retained as a separation distance between the side elevations of No.275 and the proposed dwelling. These distances are acceptable, but would result in some impact to No.275 to the east due to such a close proximity to the shared boundary.

The property follows the front and rear building lines of No.275, resulting in some overbearing and overshadowing of only the western elevation of this existing property. This would restrict light in two windows to this elevation, currently serving a bedroom and a bathroom. This would not have a detrimental impact on residential amenity. Being western facing, these windows would only receive light towards the latter part of the day, being restricted by the existing extension to the south which protrudes away from the western elevation. The introduction of a new dwelling to the west would result in overshadowing of these windows. This would not be unacceptably detrimental to the amenity of these rooms. This overbearing and overshadowing impact would be comparable to that experienced by the majority of bungalows on this side of Goring Way. In consideration of this, and that the dwelling would not have an overbearing effect on any other elevation or amenity space of the property, the proposal on

balance would have minimal impact in terms of residential amenity. This overbearing and overshadowing impact is acceptable in terms of D DM1 and QE SP1 of the ALP.

The proposal would include one window which could adversely overlook a neighbouring property. This is the ground floor ensuite window to the eastern elevation which faces onto the western bedroom window of No.275. In order to protect amenity of both neighbours, a condition has been applied requiring this window to be obscure glazed and non-opening to 1.7m above the floor level.

Concerns have been raised in regard to an east facing dormer which may impose on the privacy and amenity of a rear garden. The proposal includes three rooflights, and no dormers; other than a small gable to the front comprising a porthole window. The location of these windows would serve primarily as a source of natural light for the first floor bedroom, and would provide little opportunity for views of neighbouring properties. These openings are acceptable and will have negligible harm on residential amenity.

The proposal would not result in adverse harm to residential privacy or amenity in accord with D DM1 and QE SP1 of the Arun Local Plan, and the Arun Design Guide.

SPACE STANDARDS

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs.

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. For a 3 bed, 4 person 2 storey dwelling, a minimum of 84 sqm gross internal area is required. The proposal would provide approximately 99 sqm of internal floor area, which exceeds the Nationally Described Space Standards and would accord with Policy D DM2 of the Arun Local Plan.

In regard to bedroom sizes, the downstairs bedrooms would measure 10.3 sqm and 9.3 sqm. In regard to the NDSS, as these fall below the 11.5 sqm threshold for double bedrooms, these can only be considered as single bedrooms. The upstairs bedroom measures 11.8 sqm, and meets the threshold for a double bedroom. This meets the requirements of the NDSS, and would provide sufficient space for 4 occupiers across the 3 bedrooms. It is noted in the planning statement that the scale of the property would meet the minimum threshold for a 3 bed, 5 person dwelling in regard to total internal floor area, however as the bedroom sizes only provide sufficient space for two singles and a double, a the maximum occupancy is considered to be 4 persons in consideration of D DM2 of the ALP.

Part G of the Arun Design Guide states that rear gardens must be at minimum 10.5m deep. The proposal shows a rear garden of 16.07m in depth, which would exceed this guide. This would provide sufficient rear garden amenity space for the occupants of the property and is acceptable.

The proposal is in accordance with D DM2 of the ALP, and Part G of the ADG.

HIGHWAYS, TRANSPORT AND PARKING

Arun Local Plan Policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian, and bridleway network.

Arun have adopted a Parking Standards SPD (Jan 2020). For a 3 bed property in Parking Behaviour Zone 2 a minimum of two car parking spaces on site are required. Two parking spaces are defined on

the site plan, with there appearing to be adequate space for more cars if necessary. In terms of parking provision, the proposal is acceptable.

The new property would utilise the existing access for no. 275. This is an established access, and raises no concerns in regard to impact on highway amenity. The requirement for the access through the front of No.275s driveway would reduce the parking provision available for the existing property, but would retain sufficient space for at least two cars to be parked without blocking the access. This is sufficient and will not harm to the parking amenity of the occupiers of 275.

WSSC Highways raise no objection on the grounds of highway safety or impact on the operation of the highway network. There is a bus stop to the front of the sit. As the access is established, and the number of cars entering and exiting would only be minorly increasing, there would be no adverse impact on the operation of the bus stop. WSSC raised this in their consultation, and reiterated that the existing operation of the access to No.275 functions with no known safety concerns. They have noted that the visibility onto Goring Way is sufficient, and poses little risk of harm to pedestrians or other vehicles. No concerns are raised in regard to the increase in movements at the point of access, nor the impact on the capacity of Goring Way.

In accordance with the Arun Parking Standards, two cycle spaces should be provided. The site plan includes a bicycle store to the rear of the property, and it is proposed that this store would be designed to accommodate approximately two bikes. WSSC requested details of this store have be secured via a condition for clarity on appearance and capacity, and this has been applied. This condition requires the store to be secure and covered.

In the interests of sustainability electric vehicle (EV) charging points should be provided for all new homes. The Arun Parking Standards 2020 and policy T SP1 require new dwellings to provide electric vehicle charging points if they feature driveway or garage. The installation of an EV charger on site has been secured via condition.

Subject to the provision of the conditions below, the proposal is in accordance with T SP1 of the Arun Local Plan, the Arun Parking Standards, and the NPPF.

FLOODING / DRAINAGE

ALP policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) as appropriate to the size of development.

FNDP policy 10 states that proposals for development that are able to demonstrate that their sustainable drainage design features will be effective in managing the risk of surface water flooding with and beyond their boundary will be supported. Incorporating one of more of the following could help to meet this policy: permeable driveways; water harvesting and storage features; green roofs; or soakaways.

The proposal is in Flood Zone 1, and is at low probability of flood risk. As such, a site-specific flood risk assessment is not required.

Arun seeks to secure details in respect of surface water drainage prior to determination. This only applies for schemes which comprise two or more dwellings, or in the Lidsey Treatment Catchment Area. This proposal does not fall under either of these criteria, and details of surface water investigations, monitoring and design are not required. Details of the drainage scheme for the site is a matter for Building Regulations, and will be assessed under an application with Building Control. The lack of these details for a single dwelling in Ferring does not warrant reason for refusal, as the property will still be required to meet the standards for Building Control.

The objection from Ferring Parish Council on the grounds of flood risk and drainage is acknowledged. Arun mapping data identifies that there are issues with surface water within the highway. There is not sufficient evidence to demonstrate that the introduction of a dwelling on this site would have adverse impact on flooding in the area. This surface water is not mapped on the site, nor is the site subject to any other flood risk other than low risk of groundwater flooding (which is generally found on most sites in the district). There is no justified reasoning to raise an objection on these grounds, as the scale of the proposal and vulnerability of the site is not significant.

The proposal is noted to aim to follow the existing arrangements of the building for managing foul drainage. It would include parking to the front which would incorporate SUDs features such as permeable surfaces. To secure sustainable drainage features on site in line with Policy 10 of the FNDP, a condition is applied below requiring details of SUDs on site to be submitted to the Council for approval prior to occupation.

Subject to compliance with the condition, the proposal accords with W DM3 of the Arun Local Plan and Policy 10 of the FNDP.

BIODIVERSITY

Policy ENV DM4 of the Local Plan emphasises where existing trees are on or adjacent to a developments site, developers shall be required to provide:

- d. Land and tree surveys
- e. A tree constraints plan
- f. An Arboricultural impact assessment to include a tree protection plan and Arboricultural method statement.

The application has been accompanied with an Arboricultural Report, Tree Protection Plan, and Constraints Plan. This shows the loss of a hedge to the front of the site, and encroachment on to the Root Protection Areas (RPAs) of trees along the western and northern boundaries. These trees are not covered by Tree Preservation Orders (TPO), but their health and amenity should be protected and enhanced where possible. The Arboricultural Report details that hardstanding and footprints will encroach partially on the RPAs of a number of trees along the boundary. It is not anticipated these would cause unacceptable harm to the root systems of the trees. Impact reduction methods including handheld tools within the affected RPA and supervision by an arborist to ensure no structural roots over 25mm in diameter are severed are both recommended in this report. The works are acceptable, subject to compliance with the contents and recommendations of the Arboricultural Report and the Tree Protection Plan. These documents have been conditioned below, and all works are required to be carried out in accordance with their contents.

Policy ENV DM5 of the ALP requires development to achieve a Biodiversity Net Gain and protect existing habitats on site.

The site is a residential plot with no evidence of being a habitat for any protected species and little ecological value. The development would result in the loss of some surrounding garden land. The applicant has claimed self-build and custom housebuilding exemption, to which they are not required to provide the mandatory 10% BNG on site. In the interests of securing ecological enhancements on site in accordance with ENV DM5, and in the absence of a response from the ADC Ecology Officer, the requirement for the details of the placement of two bird boxes to the elevations of the new dwelling to be submitted to the Council for approval has been secured below.

The proposal is compliant with policy ENV DM5 of the ALP.

SUSTAINABLE CONSTRUCTION

ALP policy ECC SP2 requires residential development be energy efficient and incorporate decentralised, renewable, and low carbon energy supply systems.

As there are no decentralised, renewable, and low carbon energy supply systems proposed, a condition is necessary to secure compliance with the policy, and has been applied below. It is noted that solar panels have been proposed to be potentially provided to deliver 10% energy use, however details have not been provided, and as such it is felt a condition securing further details of renewable or low carbon energy supply systems, not limited to solar panels, is more appropriate.

SUMMARY

The development is in accordance with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives. The recommendation is made in accordance with para 11(c) of the NPPF.

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 (dependent on any exemptions or relief that may apply).

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 + block plan, existing + proposed streetviews, proposed roof plan and existing + proposed floor plans A 02
 Tree protection plan 0110 P02
 Access plan 12919/2100 P2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 Demolition/construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 4 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 5 The development hereby approved shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with Arun Local Plan policies policy ECC SP2 and ECC DM1.

- 6 No part of the development shall be first occupied until full details of the placement of two suitable bird or bat boxes on the building have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full prior to

occupation and retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of securing biodiversity net gain in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 7 All activity at the site is to be carried out in strict accordance with the Arboricultural Report (LAR2501-ARB-REP-0140 Dated 01/25) and Tree Protection Plan (0110 P02 dated 09/01/25).

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with Policy D DM1 and ENV DM4 of the Arun Local Plan.

- 8 Notwithstanding the provisions of Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwellinghouse shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the local planning authority on an application in that behalf.

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

- 9 No part of the development shall be first occupied unless and until a scheme for the incorporation of Sustainable Drainage Features (SUDs) has been submitted to and approved in writing by the Local Planning Authority. The details and features subsequently approved must be implemented in accordance with this scheme and thereafter be retained at all times for their designated purpose.

Reason: In the interests of reducing flood risk and bettering surface water drainage on site in accordance with Arun Local Plan W DM3 and Policy 10 of the Ferring Neighbourhood Development Plan.

- 10 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with Arun Local Plan policy T SP1.

- 11 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 12 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.

- 13 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission relates to a development which consists of no more than 9 dwellings; is carried out on a site which has an area of no larger than 0.5 hectares; and consists exclusively of dwellings which are self build or custom housebuilding.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

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 by clicking on this link and clicking on View Documents.](https://www.arun.gov.uk/weekly-lists)

FG/14/25/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: LU/305/24/PL

LOCATION: 2 Queen Street
Littlehampton
BN17 6EP

PROPOSAL: Single storey side and rear extension and alterations to fenestration.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	232sqm.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	86 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	Red brick boundary wall to the south and west boundaries. Wooden boundary fence to the northern, shared site boundary. Low brick wall with piers to the east boundary.
SITE CHARACTERISTICS	A mix of retail/residential use with an attractive and prominent 2.5 storey brick built building with multiple gable ends, rear hipped roof, bay window, small rear dormer, decorative ridge tiles, and chimney stack on the corner of Queen Street and Connaught Road. The western end of the site features a small building which serves as a plumbing and heating store.
CHARACTER OF LOCALITY	The area is dominated by residential uses. Dwellings in the area are predominantly terraced and brick built with extensive use of tile hanging, bay windows, and low front boundary walls. 2 Queen Street sits on the corner of one such terrace which extends north, with a similarly designed terrace across the street. Connaught Road to the west has a more varied vernacular and design of dwellings.

RELEVANT SITE HISTORY

LU/285/23/PL	Erect a two storey side and front extension.	Refused 29-01-24
LU/337/13/	Extensions and alterations to existing store to form one bedroom flat (modification to Flat 2 of scheme approved under LU/181/08.)	Refused 04-03-14

LU/181/08/	Conversion & change of use of existing shop & storage facilities to form 2 no. 1 bedroom flats, incorporating 2 no. small extensions. Conversion & change of use of existing garage to form new shop, & alterations to existing boundary wall.	ApproveConditionally 03-09-08
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LU/181/08 granted permission for the change of use of the garage into a store to the western end of the site, and for the conversion of the shop at ground floor of the main building to two. flats.

LU/337/13 sought to extend and alter one of the approved flats with a ground floor rear extension, and two storey rear extension, alongside the provision of an additional off-street parking space. The application was refused on grounds of neighbouring residential amenity, and being a overly cramped form of development that would harm the amenities of the occupiers of the site.

LU/285/23/PL sought two-storey side and front extensions. It was refused on grounds of unacceptable scale and overdevelopment, being out of character with the locality, and unacceptable impact on neighbouring residential amenities.

REPRESENTATIONS

Littlehampton Town Council - Objection:

- Concerns for residential amenity due to the additional congestion and overcrowding of the area.

9 Objections from nearby occupiers:

- Concerns regarding limited local parking provisions.
- Concerns regarding additional congestion and safety from parking in the area.
- Concerns of overlooking, overbearing and overshadowing.
- Concerns regarding what's being proposed.
- Uncertainty regarding what is different between the current and previous applications.
- Concerns on the understanding that Southern Water previously objected.
- Concerns regarding noise.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. Relevant planning matters are addressed in the conclusions section. The proposal is for single storey front and side extensions as outlined within the description and shown on the plans, a significant reduction over the previous scheme. Southern Water did not object to the prior application, nor to the current application.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Southern Water:

- The exact position of the of the public sewer on site must be determined in consultation with Southern Water before the layout of development is finalised.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Built-up Area Boundary.
Article 4 Direction.

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ENVDM5	ENV DM5 Development and biodiversity
WDM3	W DM3 Sustainable Urban Drainage Systems
TSP1	T SP1 Transport and Development

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

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

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 complies with relevant Development Plan policies in that it would comprise minor extensions to an existing unit that benefits from an extant permission as a residential flat and would not compromise the visual amenities of the site or area, would not unacceptably prejudice the residential amenities of neighbouring properties, and would not result in unacceptably impacts to highways safety.

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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

CONTEXT

The proposal seeks to construct a single storey side and front extension to Flat 2. The flat received permission to be used as such in 2008 as part of a larger development of the wider site. Whilst the flat did not come into use as a flat following the grant of permission, the wider proposal was implemented and Flat 2 still benefits from potential use as a separate flat. The proposals seek to extend the flat in question to ensure it would be brought into use with up-to-date internal space standards.

PRINCIPLE

The site is in the Built-Up Area Boundary in which the principle of development is acceptable. Policies SD SP2 of the Arun Local Plan (ALP) and Policy 2 of the Littlehampton the Neighbourhood Development Plan (LNP) seek to focus development within the Built-Up Area Boundary, subject to consideration of other relevant Development Plan policies.

The Arun Parking Standards and Arun Design Guide (ADG) also provide additional guidance relevant to this proposal.

CHARACTER & DESIGN

The single storey side extension is very minor in scale and integrated with the form and appearance of the existing single storey rear projection. This component is subservient and integrated to the dwelling and has matching materials.

The front extension features a flat roof with a parapet wall. It is a box shaped extension of matching materials. Whilst it would not appear directly integrated with the general form and architectural features of the building, it would be subservient and a modest addition to the 'side' of the wider building. The eaves of the extension sit just below the first floor windows sills, a comparable situation to the bay window to the front of the building. This extension would not result in any unacceptable impact to the visual amenity of the building.

The proposal involves the lowering of a 7.4m width of the existing approx. 1.9m tall brick boundary wall along the south side of the plot and the complete removal of a 1m section of the wall in this width to allow access to the flat. This would not have unacceptable visual impact on the wider locality.

The proposal is in accordance with policies D SP1, D DM1 & D DM4 of the ALP.

NEIGHBOURING RESIDENTIAL AMENITY

By virtue of remaining single storey and being well separated from the side boundaries of the plot, the proposal would not result in any unacceptable overbearing or overshadowing impacts on neighbouring

properties.

There are no new or altered first-floor windows in this proposal and all new openings are at ground-floor and either look out to the street or are met by existing tall boundary walls. There would be no significant overlooking impacts of neighbouring properties.

Whilst the proposal would cause some noise pollution during construction, the development is very limited in scale and would not result in unacceptable noise nuisance.

The existing use of the plot is residential and would remain as such. There would be no significant increase in occupation that would likely give rise to unacceptable noise production.

The proposal is in accordance with policies QE SP1, D DM1 & D DM4 of the ALP.

QUALITY OF ACCOMMODATION

Policy D DM2 of the ALP requires internal spaces to be of an appropriate size to meet the requirements of all occupiers and their changing needs. The Nationally Described Space Standards provides guidance. The flat in was approved in 2008 with an internal floor area of approx. 31sqm. This is not compliant with the more recent space standards as described at present, which requires single occupancy, single storey dwellings to have a minimum of 37sqm subject to the use of a shower room. The proposals achieve this minimum standard.

Policy D DM1 of the ALP states that proposals should be in accordance with the Arun Design Guide. Section H.04 of the Arun Design Guide states that amenity spaces should be of an appropriate size and shape to be usable and enjoyable. It also states that smaller private amenity spaces may be acceptable where adequate access to light and privacy are retained.

The proposal maintains a small portion of private rear amenity space for Flat 2. This would be functional for the purposes of incidental residential functions such as drying washing etc. but is not of an area such that it could be used for any particular recreational activities. The space would likely retain adequate light and privacy. Given the dense urban grain of the area, access to public transport and town centre, and the proximity of public parks, the limited amenity space is not so harmful that it constitutes a reason for refusal.

The proposal is in compliance with policy D DM2 of the ALP. Whilst the proposal is contrary to Section H.04 of the Arun Design Guide and therefore, policy D DM1, the lower portion of amenity space is unlikely to be wholly unacceptable.

TRANSPORT & PARKING

Policy T SP1 of the ALP seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian, and bridleway network. It also seeks to ensure appropriate levels of parking.

Policy T DM1 of the ALP requires proposals to be within easy access of established public and alternative transport service(s), key destinations, and to meet the requirements of the Arun Parking Standards.

Paragraph 116 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The works do not include alterations to any vehicular access and the site is in a sustainable location, being within walking distance of public transport networks (buses and the Littlehampton Railway Station). There is no existing or proposed designated on-site vehicle parking spaces.

The Arun Parking Standards requires single bedroom properties in Parking Zone 4 to provide an off-street parking space. Whilst the proposal is in conflict with this, given the sustainable location of the site and provision of dedicated cycle storage space, the proposal would have sufficient access to alternative transport methods, reducing the potential need for a dedicated parking space.

It is acknowledged the area experiences large amounts of on-street parking as most properties on the street do not have off-street parking. However, this proposal would be unlikely to exacerbate the issue by an unacceptable degree and the proposal would not result in severe residual cumulative impacts on the road network or have an unacceptable impact on highway safety. It should be recognised that in the context of this application, the flat already benefits from a potentially implementable permission (LU/181/08) that would bring forth this flat with the same capacity as proposed. This proposal seeks only to extend the unit to ensure it is of acceptable modern internal space standards.

Conditions securing the provision of the proposed cycle storage have been attached.

The proposal is in contradiction to policy T SP1 of the ALP but remains in accordance with policy T DM1 of the ALP and paragraph 116 of the NPPF.

DRAINAGE

The site is predominantly hardstanding and there would be no significant increase of impermeable surface area as a result of this development. No specific drainage conditions are required. All surface water drainage matters would be dealt with at Building Control stage. The proposal is in accordance with policy W DM3 of the ALP.

A sewer owned by Southern Water (SW) runs across the rear of this site and the proposals would likely build over this sewer. SW have identified that the exact position of the sewer needs to be determined ahead of the design being finalised. It is likely that a build over license would need to be obtained from SW, and/or the sewer may need to be relocated to the satisfaction of SW to facilitate this development. An informative has been attached to advise the applicant of the need to approach SW.

ECOLOGY & BIODIVERSITY NET GAIN

The site is mostly hardstanding and of little ecological value. The proposal meets the de minimis exemption for Biodiversity Net Gain and there would be a limited ecological impact as a result of the development. There is no evidence of protected species on site. Irrespective of the limited ecological impact the proposal would have, policy ENV DM5 of the ALP requires proposals to achieve a Biodiversity Net Gain. Subject to an appropriate condition for securing biodiversity enhancements, the proposal is in accordance with policy ENV DM5 & QE SP1 of the ALP.

SUMMARY

The proposal is in accordance with relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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 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 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 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:

- The Location Plan (Dated: 23 May 2023).
- Proposed Block Plan (Dated: 23 May 2023).
- Existing & Proposed Ground Floor Plan EX & PR GF PLAN (Dated: 29/11/24).
- Proposed Ground Floor Plan PR GF PLAN (Dated: 29/11/24).
- Proposed Street Scene ST SCN (Dated: 06/03/25).
- Existing & Proposed Roof Plan RF PLAN (Dated: 06/03/25).
- Existing & Proposed East & North Elevations E & N ELEV (Dated: 06/03/25).
- Existing & Proposed South & West Elevations S & W ELEV (Dated: 06/03/25).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 & D DM4.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 & D DM4.

- 4 No part of the development shall be first occupied until 1 No. covered and secure cycle parking space has been provided in accordance with approved Ground Floor Plan 'PR GF PLAN (Dated: 29/11/24)'. The space so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 5 No part of the development shall be first occupied until 1 No. bird box has been installed a maximum of 0.3m below the eaves of the first-floor of the building on the west elevation.

Reason: To provide ecological enhancement and biodiversity net gain on site in accordance with Policy ENV DM5 of the Arun Local Plan.

- 6 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 7 INFORMATIVE: Records show a Southern Water sewer crossing the site within the vicinity of the development. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk.

- 8 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 by clicking on this link and clicking on View Documents.](https://www.arun.gov.uk/weekly-lists)

LU/305/24/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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Recommendation Report for Planning Permission

REF NO: R/21/25/NMA

LOCATION: 25 Preston Paddock, Rustington

PROPOSAL: Non-material amendment following the grant of R/230/23/HH to reduce front extension to a porch and rear extension to only part of the original width.

DESCRIPTION OF APPLICATION:

This application seeks a non-material amendment following the grant of R/230/23/HH to reduce front extension to a porch and reduce the rear extension to only part of the original width. This application appears before the committee as a related application, as the applicant is an ADC Councillor.

SITE CHARACTERISTICS

The site is a detached bungalow. Planning permission for a single storey rear and single storey front extension was granted under R/230/23/HH.

CHARACTER OF LOCALITY

The site is in a residential area.

RELEVANT SITE HISTORY

R/230/23/HH – This application granted permission for the single storey rear and single storey front extensions currently proposed to be altered. Approved Conditionally (15-01-24).

COMMENTS OF PLANNING HISTORY

Planning history noted.

SUMMARY OF REPS RECEIVED

Applications for non-material amendments do not require publicity, or consultation.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011-2031:

D DM1 Aspects of form and design quality
D DM4 Extensions & alterations to exist buildings
(res and non-res)

Rustington Neighbourhood Plan:

Policy 2 Housing Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance

CONCLUSIONS

Non-material amendments are typically considered to be those changes which are insignificant and do not change the intensity, form or description of the original planning permission. They cannot change the intensity of the original planning permission, result in a change to the description of the application or conflict with any conditions of the original permission.

The reasons that these proposals have been accepted as Non-Material Amendments are because the proposal involves a modest reduction in scale to an already minor development that would only serve to reduce the visual and physical impact of the development on the property and public realm.

The proposed amendment can therefore be considered a non-material amendment under section 96A of the Town and Country Planning Act 1990.

RECOMMENDATION

APPROVE



PLANNING APPLICATION REPORT

REF NO: WA/105/24/PL

LOCATION: Flintcroft Surgery
The Street
Walberton
BN18 0PJ

PROPOSAL: Change of use of doctor's surgery (Use Class E) to place of worship (Use Class F1). This application affects the character and appearance of the Walberton Village Conservation Area, affects the setting of listed buildings and is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks a change of use from a doctor's surgery (Use Class E) to place of worship (Use Class F1) alongside some minor associated external changes. There is no change to the existing parking provision. The proposal seeks to operate as a place of worship between the hours of 19:00 - 21:00 on Monday and 06:00 - 08:00 on Sundays.
SITE AREA	552sqm.
TOPOGRAPHY	Predominantly flat with a decline to the west at the access onto Parsons Walk.
BOUNDARY TREATMENT	Low flint wall to the southwest site boundary with wooden fencing and trellising behind. Low hedge planting to the southeast and west site boundaries, dense mature planting and shrubs with a low brick wall to the northwest boundary and post and rail timber fencing to the northeast site boundary.
SITE CHARACTERISTICS	Single storey building that was a dwelling but converted to a surgery in the 1980's. The building features facing brickwork and a hipped roof with a rear garden and front and side driveway. It is on the junction of Maple Road/The Street.
CHARACTER OF LOCALITY	Predominantly residential with incidental retail amenities such as a parade of shops to the North. The area has a dominant rural character with low density housing, greenspace and vegetation.

RELEVANT SITE HISTORY

WA/15/23/PD	Prior approval under Schedule 2 Part 3 Class MA for the change of use of former doctors surgery to 2 No. residential dwellings.	No Object'n + Conds 18-05-23
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WA/15/23/PD - This application granted prior approval for the conversion of the building into two residential dwellings.

REPRESENTATIONS

Walberton Parish Council - Objection:

- Concerns about parking in the area.
- Concerns relating to potential noise nuisance for neighbouring properties.
- Seeks clarity as to whether the proposal would be operational outside of the specified hours.

1 Objection from nearby occupier:

- Concerns regarding a lack of parking provisions in the area.
- Concerns for pedestrian safety due to narrow pavement and unsuitable camber.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. All relevant planning matters are discussed within the conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways (LHA) - No Objection:

- Data supplied to WSCC by Sussex Police reveals there have been no recorded injury accidents in the vicinity over the last five years.
- There is no evidence to suggest the access is operating unsafely or the change of use would exacerbate an existing safety concern.
- The evidence demonstrates a significant reduction of potential daily vehicular movements to/from the site. The proposal would not represent a material intensification of movements to/from the site.
- 4 car parking spaces would be retained on site and be sufficient based on the submitted data.
- Any overspill parking would have to be accommodated on-street, which the LHA does not anticipate would give rise to a highway safety concern or parking capacity issue.

Environmental Health - No objection with conditions:

- Request conditions relating to maintenance of extraction equipment, Construction Management Plan, unexpected contamination, a lighting scheme, a Noise Management Plan, and asbestos.
- Advised an informative relating to statutory nuisance.

Conservation Officer - Advice:

- The change of use, and loss of a chimney stack provided the replacement tiles are appropriate, with have a neutral impact on the Conservation Area.
- If the windows and doors are proposed to be changed, these would need to be of an appropriate detail and suitable for the Conservation Area.
- With consideration of the above, the proposal would not harm the significance of the Conservation Area or the settings of nearby Listed Buildings.

Conservation Area Advisory Panel (CAAP) - No Objection:

- The change of use would not harm the Conservation Area, but any changes in fenestration design would need to be of an appropriate detail.

Southern Water - No Objection.

Drainage Engineers - No response.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Given the limited extent of the works and the absence of mechanical equipment or external lighting proposed, conditions pertaining to the maintenance of extraction equipment, control of external lighting, provision of a construction management plan, and unexpected contamination are not necessary. The control of asbestos is covered by separate legislation and not necessary to be controlled under this application.

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary.

Walberton Village Conservation Area.

Lidsey Local Flood Risk Zone.

Lidsey Treatment Catchment Area.

WSCC Minerals Consultation Area.

Surface Water Flood Risk (1 in 1000).

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
HERSP1	HER SP1 The Historic Environment
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
QESP1	QE SP1 Quality of the Environment
QEDM1	QE DM1 Noise Pollution
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk

[Walberton Neighbourhood Plan Policy 2019-2031](#) Built up boundary (BUAB)

[HP1](#)

Walberton Neighbourhood Plan Policy 2019-2031 Design Guidance

HP13

Walberton Neighbourhood Plan Policy 2019-2031 Retention of Employment Land

CL3

Walberton Neighbourhood Plan Policy 2019-2031 Recreation Facilities

CL7

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 is compliant with relevant Development Plan policies in that it would result in the reuse of a vacant employment site without unduly compromising the visual amenities or character of the area, and subject to conditions, would maintain acceptable residential amenities for neighbours.

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.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is compliant with these criteria in that it does not harm the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site is in the Built-Up Area Boundary and as such, is acceptable in principle, subject to consideration of relevant Development Plan policies in accordance with policies SD SP2 of the Arun Local Plan (ALP), and Policy HP1 of the Walberton Neighbourhood Development Plan (WNP).

Paragraph 125(c) of the NPPF states 'Planning... decisions should: give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. This gives substantial weight to the re-use of the site which has remained vacant for approximately 3 years.

CHARCATER & DESIGN

The proposal is for the change of use of a Doctor's Surgery (Flintcroft Surgery) to a Class F1, more specifically Class F1(f) (Public worship or religious instruction). The proposal would include some internal layout alterations, and the resultant loss of one of two chimney stacks on the building. No other external alterations form part of this proposal.

The site has been used as a community service (a surgery) for many years. Recently it has been vacant without a use. The proposal would reinstate a use to the site which would make efficient use of the land, and maintain its general character as a site that serves the local community, albeit one which would not necessarily cater for all in the community relative to the former use which is more universally required. The physical alterations would have a minimal impact on the visual amenities and character of the area, and a condition has been attached to ensure replacement tiles are of an appropriate detail.

The proposal would not harm the visual amenities or the character of the area in accordance with policies D SP1, D DM1 & D DM4 of the ALP, and Policy HP 13 of the WNP.

LOSS OF EMPLOYMENT LAND

The proposal would result in the loss of an existing employment site however, the site has been vacant and permanently closed since 2022. The use would involve employment, albeit likely to a lesser extent than the previous full-time 3 No. doctor practice with associated staff. It is material that the site has recently gained prior approval for conversion to 2 No. residential units which would result in a wholesale loss of the employment site.

The proposal would likely result in a reduction of employment, but would maintain its functionality as a community facility and benefit from part-time employment. The proposal is compliant with Policy CL3 of the WNP.

NEIGHBOURING RESDIENTIAL AMENITY & NOISE

The lawful use as a surgery would be conducive to continuous activity on site during relatively standard daily operating hours however, the operational activities of a surgery would not likely produce excessive noise levels.

The proposal seeks to operate as a place of worship between the hours of 19:00 - 21:00 on Monday and 06:00 - 08:00 on Sundays, with the unit being closed for the remainder of the week. Such activities often involve the singing, amplified speech, music, and/or musical instruments which can produce noise. The hours of operation proposed are very limited but can be very early in the morning or late in the evening where residents will likely be asleep, and where background noise levels are very low. Early Sunday mornings in particular are noise sensitive as these are often the quietest times of the week and residents

are typically asleep. The host building is approx. 7m and 9m from the neighbouring residential units 'Flintcroft' and 'Myrtle Cottage'. Thus, operating as a place of worship at the times proposed could cause undue and disruptive noise disturbance at these neighbouring properties.

With the above in mind, Environmental Health have recommended no objection subject to conditions. One of which requires the provision of Noise Management Plan (NMP) prior to the commencement of the development. The NMP would require the applicant to provide specific details regarding the hours of operation, management responsibilities during operations, measures to control noise from activities and operations at the site (including the operation of any equipment, plant, or building services), and minimising noise from vehicles, deliveries and servicing. The users of the site would be required to operate in accordance with the approved NMP.

Officers have amended the wording of the suggested NMP condition to state that for the first 3 years of use, annual reviews of the approved NMP shall be undertaken to ensure it reflects current operational site practices (including but not limited to operational hours). Additionally, where within this 3-year period, the operator or the Local Planning Authority receives substantiated complaints, or has concerns that site activities or operations are having, or may have, a detrimental impact to the local amenity, the NMP will require to review, and any changes to the NMP necessary to address these concerns would thereafter be required to be implemented to the satisfaction of the Local Planning Authority.

The proposal would encourage a limited number of users to park on nearby streets or within the village shops car parks at the off-peak hours proposed. The arrival of these users would result in noise generation by way of engines running/turning off, and car doors opening and closing. Whilst the operational hours proposed, and by extension, arrival times, are off-peak and in quiet times, the limited number of predicted users and parking options that would spread out the users, would not likely result in any unacceptable noise impacts on neighbouring residents.

Subject to consideration of the Noise Management Plan, it is anticipated that noise levels associated with the operations on site could be sufficiently mitigated to preserve local amenity. It should be recognised that this permission would not indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.

Subject to appropriate condition, the proposal would be in accordance with policies QE SP1, QE DM1 & D DM1 of the ALP.

HIGHWAYS

Based on the TRICS traffic movements assessment provided, which has been reviewed by WSCC Highways, the permitted use could generate up to 287 car movements per day alongside alternative modes of transport, whereas the proposed could generate just 12 two-way movements per day. This is a substantial reduction though it is unlikely that the previous use facilitated such intense and frequent movements given its size. Notwithstanding this, the assessment has been reviewed by WSCC Highways and no concerns regarding the methodology employed have been raised.

Whilst representations have identified issues with on-street parking provisions in the area, the operational hours proposed for the place of worship are Mondays 19:00 - 21:00, and Sundays 06:00 - 08:00, with the site remaining closed for the rest of the week. Parking spaces within the adjacent car park would likely be unoccupied during these hours and the adjacent road 'Parsons Walk' is a one-sided residential street with footpaths on both sides. It is not subject to parking restrictions and dwellings along the street have ample off-street parking provisions. The immediately adjacent stretch of Parsons Walk is also approx. 200m long.

Given the limited parking overspill proposed, which is a significant reduction over the lawful use, the

proposed hours of operation, and the parking opportunities available in the immediate area, the overspill of parking is unlikely to cause result in significant disruptions of parking in the area.

It is acknowledged the site has been vacant for a number of years, and so vehicular movements will have been infrequent if not absent during this time. The site could lawfully be brought back into use as a surgery or indeed, likely any number of alternative uses within the same Use Class (Class E). The limited vehicular movements to and from the site would not result in any unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

The proposal has not included the provision of cycle storage facilities. The site would appear to have capacity for including two cycle parking space to the front/side of the site without prejudicing car parking provisions. However, requiring that any cycle storage space be sheltered, could result in the bulk and design of such a structure prejudicing the visual amenities and historic character of neighbouring buildings and the area. A more minimalistic provision would be acceptable and sufficient in this context. No quantitative guidance regarding the number of spaces is provided within the Arun Parking Standards for Class F1 (formerly D1) uses, but instead points to a site specific assessment/consideration. Given the scale of the development, a requirement of two secure cycle storage spaces would be ample for its use. A condition has been attached requiring the submission of details to be agreed for such provisions.

The proposal is in accordance with policy T SP1 of the ALP, and Paragraph 116 of the NPPF.

FLOOD RISK

The site is partially at low risk of surface water flooding (at the access) and partially within the Lidsey local flood risk zone. The site is an existing development and the vulnerability classification would remain the same. As a change of use, the proposal is exempt from the requirements of a Sequential Test or Exception Test, and there would be no increase of flood risk on site or elsewhere as a result of the development.

The proposal is in accordance with Policy W DM2 of the ALP.

HERITAGE

The site is in the Walberton Village Conservation Area and is adjacent to Grade II Listed Buildings (Myrtle Cottage, Magnolia Cottage, and The Coach House).

The Walberton Village Conservation Area can be divided into a number of distinct character areas. The site is in a character area which consists of modern development, constructed alongside a new section of road designed to by-pass a narrow section of The Street. This section is roughly central to the Conservation Area and is of a mixed residential and retail/service use.

The Grade II Listed Buildings form an attractive and traditional group that contribute towards the Conservation Area and part of the immediate context for this site.

The proposal involves the change of use from a vacant doctors surgery to a place of worship with minimal external alterations. The external alterations being limited to the removal of one of two chimney stacks and infill with roof tiles that are conditioned to match in material, colour, and finish to the existing roof tiles. The change of use will have a minimal impact on the character of the area and whilst the loss of a chimney stack is regrettable, the retention of the second chimney stack on the building would ensure this architectural quality of the building is retained. The proposal would not result in harm to the significance of the Conservation Area or the setting of adjacent Listed Buildings.

The proposal is in accordance with policies HER SP1, HER DM1 & HER DM3 of the ALP.

SUMMARY

The proposal is in accordance with relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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:

- Site Location Plan & Block Plan 1355/04 (Dated: July 2024).
- Existing & Proposed Floor Plans Option 2 1355/05 (Dated: July 2024).
- Proposed Elevations 1355/03, Rev. D (Dated: July 2024).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D SP1, D DM1, HER SP1, HER DM1, HER DM3,

and Walberton Neighbourhood Development Plan Policy HP13.

- 3 Prior to the commencement of the development hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. The NMP shall provide details as appropriate, including but not necessarily restricted to, the following matters:

1. Hours of operation
2. Management responsibilities during operating hours
3. Measures to control noise from activities and operations at the site (including the operation of any equipment plant or building services)
4. Minimising noise from vehicles, deliveries, and servicing.

Operations on site shall be undertaken in strict accordance with the approved NMP.

For the first 3 years of use following the commencement of the use hereby permitted, annual reviews of the approved NMP shall be undertaken to ensure it reflects current operational site practices. Any changes to the NMP necessary to address these concerns shall be implemented to the satisfaction of the Local Planning Authority.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1. This must be a pre-commencement condition because it is necessary to have such measures in place before the use commences.

- 4 No part of the development shall be first occupied until 2 No. secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 5 The materials and finishes of the roof tiles used to infill the roof following the removal of the chimney stack hereby permitted, shall match in material, colour, and texture to those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D SP1, D DM1, D DM4, HER SP1 & HER DM3.

- 6 Prior to the first use of the development hereby permitted, 1 No. Swift bird box shall be installed no lower than 0.3m below the eaves along the northern elevation of the building.

Reason: To provide ecological enhancement on site and contribute to a Biodiversity Net Gain in accordance with Arun Local Plan Policy ENV DM5.

- 7 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

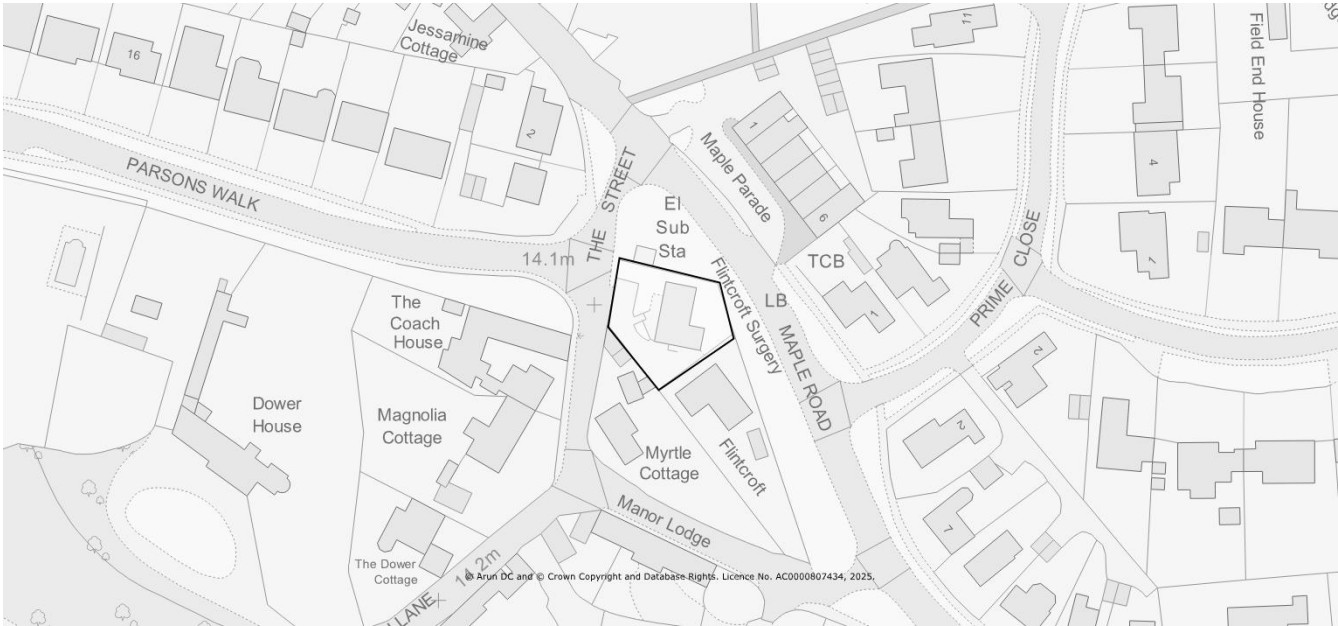
Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 8 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Team: pollution@arun.gov.uk, 01903 737555.
- 9 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 by clicking on this link and clicking on View Documents.](https://www.arun.gov.uk/weekly-lists)

WA/105/24/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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APPEALS RECEIVED AGAINST PLANNING DECISIONS & ENFORCEMENTS

Appeals Awaiting a Decision

A/133/24/RES

Original Decision = Refused

Received: 03-02-25

Broadlees Dappers Lane Angmering

Decision Level = Delegated

Approval of reserved matters (appearance, landscape, layout and scale) following outline consent A/153/22/OUT for 20 No dwellings. This application is in CIL Zone 2 and is CIL Liable as new dwellings.

Written

Representations

PINS Ref: APP/C3810/W/24/3358077

A/57/24/DOC

Original Decision = DOC Refused

Received: 31-10-24

Shrublands Roundstone Lane Angmering

Decision Level = Delegated

Approval of details reserved by condition imposed under reference A/64/21/PL relating to conditions 28 - Surface water drainage scheme and 29 - Maintenance and management of surface water drainage scheme.

Informal Hearing

18-03-25

PINS Ref: APP/C3810/C/24/3349316

AL/127/24/PL

Original Decision = Refused

Received: 31-01-25

Land North of The Haven and East of Northfields Lane Westergate

Decision Level = Delegated

Erection of 1 No 4-bed detached dwelling (self build). This application is a Departure from the Development plan and is in CIL Zone 3 and is CIL Liable as a new dwelling.

Written

Representations

PINS Ref: APP/C3810/W/25/3358593

AL/50/24/RES

Original Decision = Refused

Received: 27-01-25

Land to the rear of Meadow Way Westergate

Decision Level = Delegated

Reserved matters application for the appearance, landscaping, layout and scale (pursuant to outline permission AL/178/22/OUT) for the construction of up to 89 residential dwellings, open space, and associated works. This application is in CIL zone 3 and is CIL liable as new dwellings.

Informal Hearing

08-04-25

PINS Ref: APP/C3810/W/24/3356352

AW/118/23/T

Original Decision = Refused

Received: 17-06-24

10 Nuffield Close Aldwick

Decision Level = Delegated

Fell 3 No. Corsican Pines (T1, T2 and T3).

Written

Representations

PINS Ref: APP/C3810/9795

<p>BR/111/24/PL <i>Original Decision</i> = Refused <i>Received:</i> 15-11-24</p>	<p>8 Argyle Road Bognor Regis <i>Decision Level</i> = Committee Change of use of 1 No. two storey terraced three bed house and workshop to 5 bed HMO (house in multiple occupation). This application is in CIL Zone 4 and is CIL Liable as new dwelling. <p style="text-align: center;"><i>Written Representations</i></p> PINS Ref: APP/C3810/W/24/3354162</p>
<p>BR/22/24/DOC <i>Original Decision</i> = DOC Part Approved <i>Received:</i> 31-01-25</p>	<p>Richmond Arms 224 London Road Bognor Regis <i>Decision Level</i> = Delegated Approval of details reserved by condition imposed under BR/142/18/OUT relating to conditions 5- surface water drainage and 6- Construction Management Plan. <p style="text-align: center;"><i>Written Representations</i></p> PINS Ref: APP/C3810/W/24/3357188</p>
<p>BR/69/24/PL <i>Original Decision</i> = Refused <i>Received:</i> 30-01-25</p>	<p>10 Longford Road Bognor Regis <i>Decision Level</i> = Delegated Change of use to large HMO (sui generis - 9 unrelated occupants) and removal of outbuilding. This application is in CIL zone 4 (zero rated) as other development. <p style="text-align: center;"><i>Written Representations</i></p> PINS Ref: APP/C3810/W/24/3357172</p>
<p>LU/101/24/PL <i>Original Decision</i> = Refused <i>Received:</i> 04-12-24</p>	<p>23-25 Beach Road Littlehampton <i>Decision Level</i> = Delegated Demolition of existing warehouse and erection of 2 No. attached three storey dwellings. This application is in CIL Zone 4 and are CIL liable as new dwellings. <p style="text-align: center;"><i>Written Representations</i></p> PINS Ref: APP/C3810/W/24/3356084</p>
<p>LU/191/24/HH <i>Original Decision</i> = Refused <i>Received:</i> 17-10-24</p>	<p>The Old Farmhouse Toddington Lane Littlehampton <i>Decision Level</i> = Delegated Proposed removal of vehicle housing structure, formed by steel frame and fabric exterior, and replacing with single storey timber secure garage of less height than existing, within the grounds of a Listed Building. <p style="text-align: center;"><i>Written Representations</i></p> PINS Ref: APP/C3810/D/24/3352766</p>
<p>LU/192/24/L</p>	<p>The Old Farmhouse Toddington Lane Littlehampton</p>

Original Decision = Refused

Received: 17-10-24

Decision Level = Delegated

Listed building consent for proposed removal of vehicle housing structure, formed by steel frame and fabric exterior, and replacing with single storey timber secure garage of less height than existing.

**Written
Representations**

PINS Ref: APP/C3810/Y/24/3352757

P/77/24/PL

Original Decision = Refused

Received: 06-03-25

Little Paddocks Sefter Road Pagham

Decision Level = Delegated

Demolition of existing buildings and erection of 7 no. dwellings with associated landscaping and works. This application is in CIL zone 4 and is CIL liable as new dwellings.

**Written
Representations**

PINS Ref: APP/C3810/W/25/3360826

WA/35/23/OUT

Original Decision = Refused

Received: 18-11-24

Land East of Wandleys Lane Fontwell

Decision Level = Committee

Outline Planning Application for up to 95 no. residential dwellings (including 30% affordable), with all matters reserved apart from access. This application is a Departure from the Development Plan.

Informal Hearing **11-03-25**

PINS Ref: APP/C3810/W/24/3349836

ENF/362/21

Received:

Flat 1 , 4 Nelson road Bognor regis West Sussex

Written Representations

PINS Ref: 3335746 3335747 3335748

ENF/262/23

Received:

Pavilion Bungalow Hook Lane Bognor Regis West Sussex

Written Representations

PINS Ref: APP/C3810/C/24/3337426

ENF/347/22

Received:

1 Somerset Gardens Bognor Regis West Sussex

Written Representations

PINS Ref: APP/C3810/C/24/3336222

ENF/46/22

Received:

Lagnersh Campsite Lower Bognor Road Pagham West Sussex

Written Representations

PINS Ref: APP/C3810/C/24/3341692

ENF/37/24 6 Seacourt Close Aldwick West Sussex
Received:
Written Representations
PINS Ref: APP/C3810/C/24/3343512

ENF/108/24 18a Durban Road Bognor Regis West Sussex
Received:
Written Representations
PINS Ref: APP/C3810/C/24/3346301

ENF/236/22 Shrublands Roundstone Lane Angmering
Received:
Informal Hearing
PINS Ref: APP/C3810/C/24/3349317

ENF/145/20 Pine Close Westergate Street Westergate West Sussex
Received:
Written Representations
PINS Ref: APP/C3810/C/24/3348230

ENF/209/22 Flint Acre Toddington Lane Littlehampton West Sussex
Received:
Written Representations
PINS Ref: APP/C3810/C/24/3350848

ENF/209/22 Flint Acre Toddington Lane Littlehampton West Sussex
Received:
Written Representations
PINS Ref: APP/C3810/C/24/3350847

ENF/356/18 79 Lincoln Avenue Rose Green Aldwick West Sussex
Received:
Written Representations
PINS Ref: 3350947

ENF/356/18 79 Lincoln Avenue Rose Green Aldwick West Sussex
Received:
Written Representations
PINS Ref: 3350946

ENF/293/24 Land off Highground Lane Barnham West Sussex
Received:
Written Representations

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