

Report following a request for further information, negotiations or consultation

**REF NO:** P/139/22/RES

**LOCATION:** Church Barton House  
Horns Lane  
Pagham

**PROPOSAL:** Approval of reserved matters following P/25/17/OUT for the provision of 65 dwellings, access roads, landscaping, open space and associated works. This application affects a Public Right of Way.

This application was presented to the Planning Committee on 13 December 2023, and members agreed to defer the application at request from the Group Head of Planning during the meeting. This was due to the fact that the proposed access relies on a connection to the internal estate road provided on an adjacent application site (P/153/21/RES, Summer Lane) which was deferred during the Planning Committee meeting.

Members briefly debated this application and deemed that the overall height of the development was the primary concern. Dwelling heights are referenced and assessed within the officers report, however, for reference all dwelling ridges are between 5.3m to 8.3m. Lower height buildings, particularly bungalows, are located towards the boundary of the development in order to provide a transition with the countryside.

Since the application was presented to committee, the NPPF September 2023 has now been revised to NPPF December 2023, and therefore some paragraph numbers within the officer report have changed. Where reference is made to the NPPF as a whole or as a particular paragraph, the relevant wording is unchanged or does not impact upon the recommendation by officers.

## REPORT UPDATE

Application No: P/139/22/RES

### Reason for the Update / Changes

The applicant provided amended plans to address comments from Ecology regarding the lack of SUDs planting details, amendments to the consistency of the boundary treatments. A number of house type plans were also amended to ensure that habitable rooms windows were relocated to avoid overlooking.

#### 1. UPDATED CONSULTATION RESPONSES:

Natural England: No objection. Advised that they concur with the conclusions of the Appropriate Assessment undertaken by the Council.

Ecology: No objection. Advised that the plant species for the wetland areas has been provided and is acceptable.

Greenspace: No objection. Advised the soft landscaping details are acceptable, however further minor amendments required of the play provision. Advised that all play details will be reviewed as part of the obligations secured as part of the Section 106 agreement obligations.

#### 2. UPDATED REPRESENTATIONS:

Two further objections have been received, however no new material considerations have been raised.

#### 3. CONDITION UPDATE:

Condition 1 has been updated to reflect the amended plans. Condition 4 has been updated to reflect a new revision number for the Access Plan. The new Access Plan Rev C now refers to the most up to date layout proposed for the adjacent Summer Lane site.

**Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.**

### PLANNING APPLICATION REPORT

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Horns Lane  
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PO21 4NZ

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SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>This application is for reserved matters relating to (a) Access; (b) Layout; (c) Scale; (d) Appearance; and (e) Landscaping, for 65 dwellings.</p> <p>The outline permission (reference P/25/17/OUT) established the principle of residential development, and the construction of up to 65 No. dwellings.</p>
SITE AREA	Approximately 4.15 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 15.66 dwellings per hectare (dph) taking the entire site. However, using just the developable area (2.8 hectares) the density would be 23.25dph.
TOPOGRAPHY	The site is predominantly flat.
TREES	There are a number of trees on the site and immediately surrounding the site. A large shelterbelt of trees are present to the north-western corner of the site, and a linear group sit within the northern part of the site. There are individual trees scattered around the existing drainage ditch.
BOUNDARY TREATMENT	<p>Parts of the northern, western and eastern boundaries of the site feature mature shelterbelt tree lines of poplars. Wooden electricity pylons run alongside the southern boundary and one crosses the application site north to south.</p> <p>The site has a number of prominent tall trees which are visible in long distance views, and several groups of tall trees which are located outside of the application boundary.</p>
SITE CHARACTERISTICS	The application site measures approximately 4.15 hectares and is currently used as an outlying paddock associated with Church Barton House. The site is bounded to the west and south by Horns Lane with Summer Lane situated to the north.
CHARACTER OF LOCALITY	<p>The character of the locality is predominantly semi-rural, with open countryside to the west of the site. Existing residential development is present along Pagham Road to the east. To the northeast there is relatively newly constructed residential development (under P/58/15/OUT) which is somewhat visible form the site. To the south there is existing built development, which is separated by fields from the site and appreciable in views from the site.</p> <p>Development around the site consists primarily of sporadic farm buildings which are accessed by tracks, and public footpaths which connects the rural landscape to the edge of the built-up settlement of Pagham.</p> <p>Pagham Rife is located to the west of the application site and connects to the Pagham Harbour to the south.</p> <p>There are a number of listed buildings in the wider locality. The closest, 600m to the south of the application site are The Parish Church of St Thomas a Becket, Millstone Cottage and</p>

The Old Cottage. The tower of The Parish Church of St Thomas a Becket is visible from within the application site.

## RELEVANT SITE HISTORY

P/25/17/OUT	Outline application with all matters reserved - Erection of up to 65 No. dwellings, access roads, landscaping, open space & associated works.	App Cond with S106 05-09-19
P/81/22/DOC	Approval of details reserved by condition imposed under ref P/25/17/OUT relating to Condition No 6 - Design Code Masterplan.	DOC Approved 04-08-22

Noted.

## REPRESENTATIONS

Pagham Parish Council - Objection on the following grounds

- Lack of access.
- Concerns around drainage.
- Master planning in relation to infrastructure with adjacent sites.
- Lack of clarity and consultation with Pagham and Aldwick Advisory Group.

A total of 35 public objections were received. Material considerations are summarised as follows:

- No access plans included within application.
- Access through Horns Lane, and then Summer Lane are unsuitable.
- PROW would be compromised.
- Propose provision for safe pedestrian and cycling travel.
- Design of dwellings lack rural aesthetic.
- Density is too high and is considered over development.
- Light, noise and vehicle pollution.
- No emergency vehicular access between the two proposed development parcels.
- Insufficient parking and no provision for larger vehicles.
- Increased footfall/dogs will be cause problems to the Pagham Harbour.
- Design of properties lack rural aesthetic.
- Density is too high.

Many objections raised points which are not a material to this planning decision, as either they are not material reasons or they were considered as part of the outline permission and do not form part of the Reserved Matters remit and scope. The points raised were as follows:

- Concern that the sewerage plans are not credible (potential for sewerage tankering until infrastructure is upgraded).
- Highways cannot cope with the additional vehicles.
- Congestion from additional vehicles.
- Insufficient supporting infrastructure.

- Over development.
- No surface water drainage.
- Insufficient services such as GP surgeries, dentists.
- Lack of capacity within the schools (infant, primary and secondary).
- Loss of habitats and impacts to wildlife.
- Mitigation fields for Brent Geese needed.
- Access has not been agreed by adjacent developer to allow access through Summer Lane.
- Propose provision for safe pedestrian and cycling travel.
- Results in additional flooding.
- Flood Risk Assessment is inadequate.
- Land is not suitable for housing or any drainage due to London clay cap.
- Loss of land for Pagham Ponies.
- Pagham unable to absorb further housing.
- Outside Built Up Area Boundary.
- Loss of agricultural land - proper assessment of the loss and impact is needed.
- The site is too close to the Nature Reserve.

#### **COMMENTS ON REPRESENTATIONS RECEIVED:**

The representations are noted in full and are considered within the report where relevant.

It is noted that the Parish do not feel that there has been any consultation. However, the Council did not receive any prior engagement or pre-application to provide information on prior to the submission. As a result, the Parish were consulted on the planning application, and it the applicants presented their scheme to members of the Pagham and Aldwick Advisory Group on 13 December 2022. A further Advisory Group on 19 September 2023 was held and a further update was provided on the applications status.

Highways impacts, foul water, surface water, flooding, loss of agricultural land have all been addressed as part of the outline permission, and conditions have been imposed where relevant.

Additionally, financial contributions have already been secured via Section 106 agreement which include Education, Healthcare, Highways, Footpath, Fire and Rescue, Library, Sustainable Transport, Sports pitches, Swimming Pool and more. Therefore, comments in relation to infrastructure have been addressed within the outline application.

With reference to emergency access, no comments have been raised in relation to safety of the internal roads.

#### **CONSULTATIONS**

#### **CONSULTATION RESPONSES RECEIVED:**

Sussex Police - No objection, advice received.

National Highways - No objection - satisfied that the proposals will not materially affect the safety, reliability and/or operation of the strategic road network.

Environmental Health - No objection subject to securing details for EV charging.

Conservation Officer - No objection with the harm of the proposals on nearby designated heritage assets

identified as less than substantial.

WSCC Lead Local Flood Authority - No objection and no comments.

WSCC Highways - Further information required and are summarised below:

- Highlighted concern with footpaths only being provided on one side of road.
- Shared surfaces could be considered and materials for all will be needed.
- Confirmed that access within the site for service vehicles (fire fighting, refuse) was acceptable.
- The footpath between the two development parcels should be widened.

The site appears to be reliant on access from phases of the adjacent development to the north and east. In the absence of suitable connections for users of the development to and through the adjacent site to serve the development, the occupation of the development under this planning proposal would need to be delayed until suitable access is demonstrated.

WSCC Fire and Rescue - No objection but requested condition to ensure that dwellings are within 150m of a fire hydrant.

Archaeology - Condition 25 imposed on the outline permission will secure a written scheme of investigation and no further comments are made.

Greenspace Officer - No objection subject to securing further detail on the LEAP, LAP provision through the S106 process. Advised the Soft Landscaping plans are now acceptable. Better provision of accessible equipment is supported. The quantum of play space is now policy compliant and acceptable. Still raised concerns regarding open bins, equipment age range and missing details. However, satisfied that this detail can be secured at the Section 106 stage.

Soft landscaping proposals were considered generally acceptable, however, no updated planting plans have been submitted with the amended application.

Drainage Engineers - Holding objection due to insufficient evidence that the design would be able to accommodate a policy compliant design.

Tree Officer - Objection based on lack of arboricultural information and detail, and therefore insufficient information to inform decision making process in relation to trees. Trees within/adjacent to the application site boundary would qualify for a tree protection order due to their prominence within the wider landscape.

Ecology - No Objection as the planting plans are acceptable and provide wildlife friendly species. Further details of SUDs planting are required, along with minor recommendations to species for internal formal hedge planting. The Biodiversity Net Gain calculations are acceptable.

Natural England - Required a costed management plan at the RM stage. Have been consulted on the Appropriate Assessment and their response is awaited.

NHS - Comments received regarding financial requirements.

#### **COMMENTS ON CONSULTATION RESPONSES:**

In response to Natural England's comments regarding a Costed Management Plan, this was secured within the S106 and will be provided prior to commencement and therefore not relevant to this



application. Furthermore, a financial contribution to SAMM mitigation has been secured under the S106 agreement. Natural England have not yet responded to the request to review the Appropriate Assessment, however subject to no objection being raised to the Councils Appropriate Assessment the proposals would be acceptable.

WSCC Fire and Rescue requested a condition relating to fire hydrants, however this falls within the remit of Building Regulations and therefore is not considered necessary.

Drainage conditions were imposed on the outline permission and are not considered as part of the reserved matters. It is noted that if the drainage conditions are unable to be discharged due to the layout, a new reserved matters application will be required.

Environmental Health requested conditions for contamination and EV charging, however this has already been secured as a condition under the outline permission.

Financial contributions for the NHS were secured as a S106 obligation under the outline application.

<b>POLICY CONTEXT</b>
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The development is located within the Arun Local Plan Strategic Housing Allocation SD1: Pagham South.

**DEVELOPMENT PLAN POLICIES**

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM2	ENV DM2 Pagham Harbour
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
HWBSP1	HWB SP1 Health and Wellbeing
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment
OSRDM1	Protection of open space, outdoor sport, comm& rec facilities
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WSP1	W SP1 Water

**PLANNING POLICY GUIDANCE:**

NPPDG	National Design Guide
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NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

**SUPPLEMENTARY POLICY GUIDANCE:**

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
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. On 25th February 2021 Arun District Council received an instruction from Pagham Parish Council to withdraw the Pagham Neighbourhood Plan, and therefore there is no relevant Neighbourhood Plan.

The development is located within the Arun Local Plan Strategic Housing Allocation SD1: Pagham South.

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Section 70(2) of 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**

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

**CONCLUSIONS**

**INTRODUCTION**

Following submission concerns were raised by the Local Planning Authority and the scheme was amended. Further amendments to the scheme in relation to the landscaping details and play area provision. Amendments were also made to the layout of the car parking, depths of properties and elevational treatments.

The application was originally presented to Pagham and Aldwick Advisory Group on 13 December 2022. Comments received were largely based around access requirements and the need for the application to be joined-up with the adjacent Summer Lane development. Some members commented their support for



dwellings to be lower in height to respect the wider countryside. A further update was provided by the Council to the Pagham and Aldwick Advisory Group on 19 September 2023 and no substantive feedback or comments were provided.

### PRINCIPLE OF DEVELOPMENT

The site forms part of a Strategic Housing Allocation under policy SD1 of the Arun Local Plan. The site forms part of the Pagham South Strategic Allocation under Policy H SP2a of the Arun Local Plan (ALP). The site benefits from outline planning permission (reference P/25/17/OUT), granted 5 September 2019, which established the principle of residential development on the site.

The following conditions were imposed on the outline permission which allows for various matters to be resolved prior to commencement and/or occupation of the development:

- Condition 2 - Employment and Skills Plan
- Condition 5 - Materials
- Condition 9 - Tree Protection Plan and Arboricultural Method Statement
- Condition 10, 11, 12, 13 - Foul and Surface Water Drainage
- Condition 15 - Ecological Management and Mitigation Plan and Ecological Schedule of Works
- Condition 16 - External Lighting
- Condition 17 - Construction and Environment Management Plan (CEMP)
- Condition 22 - Renewable Energy provision to 10%
- Condition 24 - Travel Plan
- Condition 25 - Archaeology
- Condition 26 - Electric Vehicle (EV) Charging

This application relates only to the matters reserved, which are access, layout, landscaping, scale and appearance.

### DESIGN AND LAYOUT

Arun Local Plan (ALP) policies D DM1 and D SP1 are relevant in respect of design and character. The National Design Guide (NDG) is also material consideration in the determination of this application, as well as the Arun Design Guide (ADG).

Condition (6) imposed on the outline permission required that a Design Code Masterplan setting out key high level design principles for the site be approved prior to the submission of the Reserved Matters application. The Design Code in relation to the site was approved under reference P/81/22/DOC and the proposed development as amended is in full accordance with the Design Code.

The principle of the layout with the development divided into two parcels with a green space running through the middle was shown indicatively at outline stage under the Masterplan and reflects the design principle of the remainder of the SD1 allocation to the east as well as the principles established through the Design Code.

The proposed layout has dwellings facing outwards to address the countryside adjacent to the site as well as the neighbouring Summer Lane site. A number of dwellings have been designed to positively address corners and provide natural surveillance to the open spaces. The proposals identify the materials distribution within the scheme with flint being present on key "feature buildings" in accordance with the details agreed through the Design Code (Rev C, Page 35) which secures a coherent and strengthened sense of place and character.

The development has adopted a mixed scale with the lowest buildings situated on the edge of the development adjacent to the countryside. This approach is supported by the Arun Design Guide. The development incorporates bungalows as well as 1.5 storey dwellings in order to provide a transition in scale between countryside, lower built form, and two storey development within the remainder of the development.

Dwellings along Pagham Road are fairly consistent in height and are identified as being between approximately 6.5m - 8m in height. The height of the proposed dwellings ranges from 5.3m to 8.3m and this is considered an appropriate response to the established character of the locality. Therefore, the scale of the proposed development is acceptable and is a positive response to the sites location.

The proposals incorporate a range of elevational treatments for the dwellings showing render, brick quoining as well as flint and brick detailing to add interest. The use of flint and brick detailing is characteristic of the wider locality of Pagham and given the smaller number of dwellings proposed on the site is considered an appropriate response.

The roofs are of an appropriate scale for the dwelling sizes, and do not appear overly dominant for the dwellings. Dropped eaves and dormers are used within the scheme to add interest and complement the existing character of Pagham Road. Overall, the dwelling designs incorporate positive design cues which are influenced by the existing character of Pagham.

Materials are conditioned under the outline approval and details of the specific materials to be used in construction will need to be formally approved prior to the commencement of development. The design principles in the approved Design Code identified the following broad principles for materials:

- Brown/red roof tiles
- Rustic coloured brickwork (red/brown)
- Tile hanging/ flint/ quoining/chimney's/render

Officers raised concerns regarding the inclusion of grey roofs, buff bricks, and weatherboarding, which deviate from the approved Design Code, and as a result these have been removed from the proposal.

The proposed palette of materials offers two types of roof materials (red and brown), two brick types (red multi, and Red/Brown Multi), along with render and flint. Tile hanging has not been included within the proposed scheme, however the materials are substantially in accordance with the approved Design Code.

Proposed internal boundary treatments consist of a mixture of hedgerows, close boarded fencing, brick pier fencing and low level brick walls. Details of the hard landscape boundary treatments are acceptable. A condition has been imposed securing the details of the boundary treatments and ensure their delivery.

During the application officers raised a number of concerns with the parking arrangements, such as the prominence of parked cars within the development and the inclusion of a parking court which benefitted from little overlooking, minimal functional relationship to dwellings and was generally a suburban solution not suited to the sites location.

The applicants sought to overcome these issues with the parking court by rearranging the layout which resulted in better overlooking from nearby dwellings and the street. The position of dwellings were also amended to better utilise buildings as screening for parked cars within the development. Additional landscaping and the use of low-level boundary walls provide some enclosure which in combination with other design matters result in an appropriate car parking layout.

In light of the above the proposed development in terms of layout and design is considered to be a positive response to the character of the wider locality and would positively respond to the edge of settlement character of the site in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

## RESIDENTIAL AMENITY

ALP policy D DM1 and policy QE SP1 requires development to contribute positively to the quality of the environment and protect residential amenity for both occupiers and neighbours. The Arun Design Guide aims to provide further guidance on how to protect privacy and amenity.

There are a couple of gardens which are marginally below the recommended 10.5m minimum garden depth. In these cases the gardens are larger corner plots with ample garden space to achieve a high standard of amenity for future occupiers. In these cases neighbouring properties do not feature any windows on the side elevations and are one storey in height and as such do not give rise to any unacceptably adverse overbearing, overshadowing or overlooking impacts.

The layout accords with the minimum Back-to-Back distance described in the Arun Design Guide. However, there are a small number of instances where there are minor deviations from the recommended distances, specifically, back/front-to-side distances which should be 14m; and front-to-front distances between habitable rooms which should be 16m.

However, in these instances windows are either omitted from the relevant elevations or are obscurely glazed. In addition, most back/front-to-side deviations occur between bungalows, resulting in no possible overlooking from second storey windows.

The Arun Design Guide is just guidance and is not a set of limitations on what is and is not acceptable. These matters must be considered on their own merits and the level of harm if any that would result. In this case whilst there are a small number of deviations from the recommended distances there would be no adverse harm to the privacy and amenity of occupants and as such the development would accord with D DM1 and QE SP1 of the ALP.

## VEHICLE AND CYCLE PARKING

Arun District Council Parking Standards Supplementary Planning Document (SPD) requires development within this location, Zone 2, to provide for 2 allocated parking spaces for all 1, 2 and 3 bedroom dwellings and 3 allocated parking spaces for every 4 bedroom dwelling. In addition, visitor parking provision should be 20% of the total number of units (specifically 13).

The quantum of allocated parking proposed is 137 allocated parking spaces, which meets the allocated parking provision required by the SPD. 14 visitor parking spaces are proposed, and this would result in an overprovision of 1 visitor parking space, which would be acceptable.

In relation to parking dimensions, all standard parking dimensions are proposed to be 2.5m x 5m, as per the ADC Design Guide (pg. 77). Disabled and Accessible homes also meet the required dimensions.

The Arun Parking SPD identifies that 5% of all parking spaces should cater for disabled provision. This would equate to 7.55 spaces for this development. The proposed layout include 14 allocated on plot disabled parking spaces to serve the M4(2) or M4(3) compliant dwellings and this overall provision is acceptable.

The ADC Design Guide part I.01 recommends that parking solutions should be varied, and sensitively located to minimise their presence within the street scene. Parking should also avoid being placed to the

front of dwellings at the detriment of front gardens and overbearing dwelling frontages. As the site is located adjacent to the open countryside, there is also a need to ensure that cars are hidden within views of the new settlement edge.

Parking is generally proposed on plot, typically to the sides of dwellings, which is an acceptable approach which reduces the impact of cars upon the streetscene. The proposals use building lines, soft and hard landscaping to further screen cars from views and is therefore supported.

No details of cycle parking have been provided within the submission but it is anticipated that cycle parking would be provided within gardens. There is adequate rear garden access to all plots and so this approach would be considered acceptable and could be satisfactorily conditioned to ensure that cycle parking is provided for each of the dwellings.

Therefore, the proposal deliver satisfactory levels of car and cycle parking which are appropriately located. Car parking provision accords with Policy T SP1 of the Arun Local Plan, Arun Parking Standards SPD and the Arun Design Guide.

### HERITAGE

The principle of development has been established through outline planning permission, P/25/17/OUT, through which heritage impacts were assessed in accordance with the NPPF, Arun Local Plan, and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. At outline stage, impacts on heritage were found to be less than substantial in accordance with the NPPF.

Paragraph 194 of the NPPF requires the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The Local Planning Authority (LPA) should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development which may affect the setting of a heritage asset), taking into account any available evidence and necessary expertise in line with Paragraph 195 of the NPPF.

Paragraph 197 of the NPPF states that in the determination of planning applications the LPA should take account of the desirability of sustaining and enhancing the significance of a heritage asset; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed buildings or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

There are no designated, or non-designated built heritage assets within the boundary of the site. However, a Scheduled Ancient Monument (located approximately 650m to the south of the site boundary), Non-Designated Heritage Assets (both approximately over 420m from the site) and Listed Buildings (the closest, White Rock, is located approximately 400m from the site) are found in the wider locality.

A Heritage Assessment Addendum was submitted alongside the reserved matters application to ensure the layout and proposed built form align with the conclusions made at outline stage. The Conservation Officer has confirmed that there is no harm to the overall significance of most Listed Buildings due to the separation distances between the application site and the heritage assets. However, there are some



minor setting impacts upon Listed Buildings, specifically the Parish Church of St Thomas a Becket, Millstone Cottage and The Old Cottage.

Approximately 600m to the south of the application site is St Thomas a Becket, a Grade I listed medieval church which was restored in 1837. The tower is a landmark visible in long distance views. Immediately adjacent to the church is Old Cottage, an 18th Century thatched cottage which together with the church forms a picturesque grouping. Millstone Cottage is located to the west of the churchyard and there are limited views from the application site.

The Conservation Officer confirms that Millstone Cottage and The Old Cottage, both located approximately 600m south of the development are of architectural and historic significance. The development forms part of the wider rural setting, but intervening vegetation results in the inability to fully appreciate the buildings architectural interest. The planting to the south of the site is important in helping to reduce the visual impact of the development on their setting. The level of harm identified is therefore minor and would cause less than substantial harm in accordance with the NPPF.

The fields to the north of the Parish Church of St Thomas a Becket contribute towards the understanding and appreciation of the rural origin of the church and historic core of the village. However, the application site forms part of the wider rural setting, and makes limited contribution to the historic and architectural interest of the listed building, but would not impact on the immediate setting of the church.

Limited views are possible from within the site whilst some views are possible from Footpath 101 which runs adjacent to the development site. As a result of development, there would be a loss of some views of the church and a reduction in the wider rural setting. Therefore, the level of harm identified would be less than substantial in accordance with Paragraph 202 of the NPPF (2023).

Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal. The outline permission weighed the substantial contribution to the housing land supply of Arun District and deemed the development would outweigh the less than substantial harm identified to the setting and significance of the nearby designated heritage assets. The Conservation Officer confirms that there is no change in harm over and above what has been considered and approved at outline permission stage.

Therefore, the application continues to be in accordance with paragraph 202 of the NPPF the proposal is deemed to be acceptable and would accord with policies HER SP1, HER DM1 and HER DM4 of the Arun Local Plan.

## HIGHWAYS AND ACCESS

This application seeks to approve the reserved matter of access. In order to agree details of access, the applicant is required to provide details on how a vehicular link will be provided between the development and an existing highway. An indicative access plan has been provided showing the two proposed accesses for each development parcel on the eastern boundary which will link into the internal road network on the adjacent site.

Policy H SP2a Greater Bognor Regis Urban Area states that this development consists of a number of parcels of land, and therefore "it is imperative that individual areas are aligned with neighbouring parcels of land."

WSCC Highways had no objection to the access arrangements into the site, but did identify the need for the adjacent Summer Lane development to come forward in advance of first occupation in order to

secure safe and appropriate access to the development. Therefore, a condition will be imposed to ensure that the timing of first occupation aligns with access being available and fully operational. WSCC have also confirmed that the layout provides adequate space for emergency and refuse vehicles.

Subject to the approval of P/153/22/RES, the proposed access arrangements would be acceptable and would accord with Policies H SP2a and T SP1 of the Arun Local Plan.

## **ACCESSIBLE DWELLINGS**

Arun District Council have published the Accommodation for Older People and People With Disabilities guidance document to assist in the interpretation of Policies D DM1 and D DM2. This document is not an SPD, however it does form a material consideration to ensure that housing in Arun addresses the needs of a wider range of the population. The guide suggests that development should provide 50% of units designed to M4(2) standard, whilst a development of this size would be required to contribute 4 M4(3) standard dwellings.

The accommodation schedule indicates 10no. 2-bed dwellings would be built to M4(2) standard and 13no.1&2-bed dwellings are proposed to be built to M4(3) standard. The quantum of units proposed would exceed the minimum requirements identified through guidance and as such is acceptable.

As identified above the parking dimensions for the M4(2) and M4(3) dwellings on site are all in line with policy and guidance and as such are acceptable. Most of the parking is on plot, and the distance between the front door and parking space meets the recommendations of the Arun District Design Guide and is therefore acceptable.

The provision of M4(2) standard dwellings and M4(3) standard dwellings is therefore acceptable and would accord with Policy D DM1 and D DM2 of the Arun Local Plan.

## **HOUSING MIX AND AFFORDABLE HOUSING**

Policy H DM1 (Housing Mix) of the ALP requires developments to seek a mix of dwelling types and sizes in general accordance with the latest Strategic Housing Market Assessment (SHMA).

The proposal seeks to provide the following housing mix:

- 1 Bedroom: 7 units (11%)
- 2 Bedroom: 21 units (32%)
- 3 Bedroom: 30 units (46%)
- 4 Bedroom: 7 units (11%)

The proposed mix results in an overprovision of 3 bed dwellings, and subsequently an under provision of both 1 and 2 bed dwellings. The site has various constraints, including its sensitive rural setting which results in the need to deliver a looser grain of development in order to achieve an appropriate transition from the built up area to the countryside. In addition to this, the applicant is delivering a larger number of dwellings to meet the needs of older people and those with disabilities, which are typically bungalows. Whilst policy would seek to secure a higher provision for 1 and 2 beds properties, given the sites specific constraints the overall mix is acceptable.

The mix of affordable dwellings proposed is: 15 Affordable rented (2 x 1 bed; 10 x 2-bed; 3 x 3 bed); and 5 Shared Ownership (3 x 2-bed; 2 x 3-bed).

There is an overprovision of 2 bed affordable intermediate units, and an under provision of 1 bed affordable intermediate units, however given the small number of shared ownership units required (5),



this is considered acceptable. Likewise, there is an overprovision of 2 bed affordable rented units, and an under provision of 1 bed affordable rented units.

However, 5 affordable rented units would be bungalows designed to M4(3) standard, making them accessible for people with disabilities, and therefore addresses identified demand for older people and people with disabilities. The overall split (75:25) of affordable rented and shared ownership tenures aligns with the S106 agreement as well as policy AH SP2 of the Arun Local Plan.

The proposed locations of the affordable units (rented and shared ownership) are distributed appropriately throughout the site as small clusters avoiding any overconcentration of affordable units.

The S106 requires an Affordable Housing Scheme to be submitted for approval which will secure details of the affordable housing in perpetuity. However, the details as provided in support of this application are acceptable and as such the affordable housing proposals would accord with Policy AH SP2 of the ALP.

## SOFT LANDSCAPING

The NPPF and Arun Local Plan (ALP) policies D DM1, ENV DM5 and LAN DM1, the Arun Design Guide, and the National Design Guide requires developments to consider landscaping, to ensure a high-quality scheme is achieved using soft and hard landscaping which reflects the established character of the local area. The NPPF emphasises that trees make an important contribution to the character and quality of their environment.

The Arun Landscape Capacity of Strategic Sites in Arun District (2017, HDA), advises of improvements that would be encouraged in any proposals on the allocation site:

- 4.1 With limited vegetative boundary structure across the site a comprehensive strategy of planting along historic boundary alignments, including hedgerows, trees and grass margins, should be developed to recreate a network of green links across any developed areas.

- 4.2 The current filtered settlement edge would need to be recreated along the interface between any new development and the rural landscape to the west, to limit views of built form from the rural landscape beyond, including from public footpaths within the adjacent rife and harbour landscapes. However, a new landscape structure would take significant time to establish and would need to be mature enough to offer significant screening to views.

Individual planting plans have been provided to supplement the Landscaping General Arrangement Plan (DD585L01 Rev F) which provides suitable detail and is confirmed as acceptable by the Council's Greenspace Officer.

Formal tree lined streets as per NPPF requirements are a very suburban response and are not considered an appropriate response to the edge of settlement character of the site. Instead, proposed trees are provided on irregular pockets of open space throughout the site. Appropriate soft landscaping, including trees, shrubs and dense hedgerows along the boundaries are also proposed within the Public Open Space. The strong boundary planting will ensure that the site is sufficiently screened and the planting within the site is characteristic of the wider setting.

The issues raised by the Council's Ecologist in relation to missing wetland planting details and internal formal hedgerow mix have been passed through to the applicant who intends to provide updated plans in response to these issues. Therefore, once these amendments have been received they will be presented to Members as part of a report update

The soft landscaping proposals provide some screening in wider views and within the streetscene.

Therefore, subject to confirmation of the wetland planting details and formal hedgerow mix the proposals are in accordance with Policy D DM1 and LAN DM1 of the ALP.

## **BIODIVERSITY AND PROTECTED SPECIES**

Mandatory Biodiversity Net Gain (BNG) of 10% under the Environment Act has not become been enacted yet, and therefore the policy most relevant is ENV DM5 of the Arun Local Plan.

This policy stipulates a requirement for development to deliver a Biodiversity Net Gain and that proposals should seek to protect habitats on site. The NPPF 2023 states that development should contribute to and enhance the natural and local environment by minimising impacts and providing measurable net gains for biodiversity (Paragraph 174, d). NPPF Paragraph 180 states that "d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

A Biodiversity Metric has been provided and updated based upon the latest soft landscaping proposals which show a Net Gain for Biodiversity both for habitats (1.89%) and hedgerows (170%).

The planting plan (Landscape General Arrangement Plan Rev F) shows many trees located within private front gardens, and it has been confirmed that these have been excluded for the purposes of BNG calculations. A condition was imposed on the outline to ensure that any trees or plants that fail to establish or die within 5 years must be replaced, and a management plan for their upkeep secured within the Section 106 agreement. Therefore, the proposals would result in a biodiversity net gain in accordance with policy ENV DM5.

The Ecology Officer confirms that a Phase 2 Bat survey has been carried out which is acceptable. A bat roost is present within the existing dwelling and therefore a European Protected Species Mitigation Licence for bats will be required from Natural England.

In addition, the time since the outline application the grassland has become less vigorously managed, for which a precautionary reptile capture is recommended (EcoSupport, 14th July 2022). However, Condition 15 imposed on the outline approval (P/25/17/OUT) requires the submission of an Ecological Management and Mitigation Strategy prior to commencement or any preparatory works. Therefore, the condition will ensure that the LPA will be able to secure details of a precautionary capture process for reptiles.

The Ecology Officer also raised the need for a biodiversity enhancement plan, however this was secured via condition imposed on the outline permission (P/25/17/OUT).

Subject to conditions, the Local Planning Authority would ensure the protection and mitigation of protected species under its duties of the Conservation of Habitats and Species 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

In addition, the development secures adequate Biodiversity Net Gain (BNG) and accords with policy ENV DM 5 of the Arun Local Plan, Chapter 15 of the NPPF, National Design Guide, and Part E.03 of the Arun District Design Guide.

## **TREES AND HEDGROWS**

The relevant policy consideration in relation to trees is policy ENV DM4 of the ALP which seeks to prevent the loss of trees which contribute to amenity.

The Landscape General Arrangement Plan (Rev F) indicates where trees and hedges are proposed to be removed. Alongside the outline application document Tree Constraints Plan, the following are shown to be removed:

- Approximately 35 individual trees (mainly category C);
- Category C hedgerow to the northern part of the site; and
- A group of Grey Poplars Category B trees (number of individual trees unknown - but approximately 27 trunk points shown).

The Council's Tree Officer states that while the design is largely acceptable in terms of removal of internal trees to accommodate the proposals, the linear group of poplar trees TL03 should be retained. No current TPO exists for the site or any trees within or adjacent to the site. The outline permission established the principle of development within the site and no fundamental objections were received regarding the indicative plans which would have resulted in the loss of this group of trees (TL03). The proposed layout accords with the approved Design Code which was based upon the indicative masterplan (Masterplan - FS06 - Rev. C - January 2017) considered by the Council through the determination of outline application P/25/17/OUT.

The Council's Tree Officer recommended that the existing hedgerow on the northern boundary of the site is retained. However, the layout as proposed results in its loss. In order to mitigate this removal, the proposed planting scheme will secure a triple staggered native hedgerow that extends around the site providing a joined up habitat and as such is judged to be a suitable replacement.

The Tree Officer has also noted the lack of specific plans relating to trees, such as an Arboricultural Method Statement and Tree Protection Plan. However, these are required to be provided and approved by the Local Planning Authority prior to the commencement of development as part of tree condition imposed on the outline permission.

Policy ENV DM4 of the Arun Local Plan identifies that development should seek to replace trees where they are required to be removed. The application proposes the planting of 121 no. new trees on the site, which is marginally less than two trees for every one tree to be removed. The trees are a mixture of sizes but include extra heavy standards throughout the site. Once matured these trees will make a meaningful contribution to the site in terms of amenity, biodiversity and carbon storage.

Therefore, the proposed loss of trees would be adequately mitigated and would be in general accordance with ENV DM4 of the ALP.

### HRA / PAGHAM HARBOUR AND PEDESTRIAN LINKS

Policy ENV DM2 of the Arun Local Plan (ALP) requires that development within Zone B of the Pagham Harbour (part b, ii) creates easily accessible new green spaces for recreation within or adjacent to the development site to accommodate the predicted increases in demand for local walking, including dog walking. In addition to providing recreational walking routes for occupiers and dog walkers for the benefit of the Pagham Harbour, layouts should also encourage walking and cycling both to and from the development and within it, to support healthy lifestyles and sustainable travel in accordance with paragraph 92 of the NPPF and policies HWB SP1 and T DM1 of the ALP.

The Council considered that the applicant's avoidance and mitigation strategy (Habitats Regulations Appropriate Assessment, By Lizard LLD1531-ECO-REP-001 Rev 00) within the outline permission was

robust and met the tests of the Appropriate Assessment and Natural England agreed with this assessment and the mitigation measures identified and secured at outline stage.

The applicants HRA provided a mitigation / avoidance strategy which comprised four key elements. It stated:

"Firstly; on site provision for recreation activities including dog walking; secondly; a package of measures aimed at alleviating existing and future pressures from visitor numbers on the SPA / RAMSAR site itself. Thirdly; the site boundaries of the development area would be strengthened with extensive new planting and stock fencing in order to buffer the retained farmland to the west potentially used by Dark-bellied Brent Geese from built form and movement of vehicles and people / dogs within the development. Fourthly; a bespoke package of measures is proposed which deliver long term mitigation / enhancements for Brent Geese."

A financial contribution has been secured via Section 106 agreement towards the Pagham Harbour Strategic Access, Management and Monitoring (SAMM) which seeks to manage and mitigate visitor pressure within the Harbour.

The development proposes a quantum of POS which would consist of 0.86ha of useable Public Open Space which would exceed the requirement identified within the original Appropriate Assessment and as such this is acceptable.

A self-binding gravel footpath is proposed to connect the two residential parcels, which have pavements aligning most of the highways. There is also a footpath access to the Summer lane development via a footbridge connection to the southeast. A range of circular walks for recreation and dog walking can therefore be achieved within the site as well as through the neighbouring Summer Lane development.

The HRA described the required mitigation planting as dense new tree planting to the site boundaries, significantly bolstering existing tree line and hedgerows along with adequate fencing to act as visual and physical deterrent to the Pagham Harbour. The Landscape General Arrangement Plan Rev F shows the boundaries of the site adjacent to the open countryside are to be planted with triple staggered native hedging. A 1.2m timber post and rail fence with stock proof mesh would be proposed to the southern, western and northern boundaries of the site, connecting to the fencing provided at the adjoining Summer Lane development.

Other detail such as timing of delivery of the fencing and vegetation to ensure that the mitigation has maximum impact during the construction phase will be secured through an appropriately worded condition.

An Appropriate Assessment has been undertaken which concluded that the development would encourage users to remain within the site and restrict dogs having direct access into the harbour and as such would not result in any likely significant adverse impacts on the Pagham Harbour SPA. Natural England have been consulted on the Appropriate Assessment, and subject to confirmation that they have no objection to the conclusion of the assessment, the development would be in accordance with Policy ENV DM2. The proposed layout would also provide sufficient circular routes to encourage healthy lifestyles in accordance with Policy HWB SP1 and T DM1 of the ALP as well as paragraph 92 of the NPPF.

#### PUBLIC OPEN SPACE (POS) AND PLAY SPACE

The Public Open Space (POS) required for the site is 4,576sqm. Of this, a minimum of 787sqm of play space in the form of 1 Locally Equipped Area for Play (LEAP) and 1 Local Area for Play (LAP) are



required to be delivered.

The proposal provides approximately 787sqm of play space and 8,600sqm of POS, for which the useable meaningful POS provision exceeds the policy requirement and as such the total level of provision is deemed acceptable. Whilst not included within the Open Space quantum, the development would provide for pockets of irregularly shaped public open space within the developed parcels, which have been discounted from the total POS provision but which contribute towards the softening of the built form and parking.

The locations of the play areas provide opportunities for natural surveillance from surrounding dwellings and would be acceptable in principle. The Public Open Space Supplementary Planning Document (SPD) requires that LEAPs provide a 20m minimum buffer between the activity zone and dwelling facades. The proposed LEAP is located approximately 17.90m from the nearest dwelling's facade (plot 60). However, proposed planting within the play area will ensure that the activity zone and equipment is sited than 20m from the dwelling's facade in accordance with the Open Space SPD.

Amendments were made throughout the lifetime of the application, to include more accessible equipment which is positive. The Greenspace Officer still has concerns with some of the proposals, regarding open top bins, undefined play pieces, and equipment target age range. However, the Section 106 Legal Agreement secured for the site includes an obligation to agree play area details with the Council and the Greenspace Officer has confirmed that they are content that it is appropriate to secure this detail through the Section 106 agreement.

Overall, the play provision is sufficient, and would accord with the Arun Open Space SPD and Policy HWB SP1 of the Arun Local Plan (ALP).

## DRAINAGE

ADC Drainage Engineers have raised a holding objection to the application, as insufficient information has been provided to demonstrate a policy compliant drainage scheme. Further information was provided by the applicant in response to this point but has not currently been reviewed by the Council's Drainage Engineers.

However, Conditions 10, 11 and 12 imposed on the outline planning permission (P/140/16/OUT) relate to surface water drainage and require details to be submitted for approval prior to the commencement of development. Therefore, as drainage was considered at outline stage and these pre-commencement conditions were imposed there is no requirement to approve drainage details alongside this reserved matters submission.

This application and layout was proposed by the applicant at their own risk and should it not be possible for an appropriate drainage scheme to be accommodated alongside the proposed layout then the applicant will not be able to implement the permission. Given the inclusion of pre-commencement conditions to secure detailed drainage design this reserved matters application can be determined without the full support of Drainage Engineers and as such it is not necessary to demonstrate compliance with policy W DM3 at this time.

## CONCLUSIONS

The amendments made to the application have overcome the original concerns raised by the Local Planning Authority and statutory consultees. Following amendment the proposals are now in accordance with relevant development plan policies. In the absence of any material considerations contrary to this it is recommended that the application is approved subject to the below conditions.

## HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

## DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

## RECOMMENDATION

APPROVE CONDITIONALLY

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

- Site Layout (Coloured) PL-2-02 Rev H
- Tenure Layout PL-2-03 Rev F
- Bedrooms Layout PL-2-03
- Building Materials Layout PL-02-05 Rev G
- Boundary Materials Layout PL-02-06 Rev G
- Parking & Bins & Cycle Storage Layout PL-02-07 Rev F
- Landscape General Arrangement Plan DD585L01 Rev G
- Detailed Planting Plan\_Sheet 1 of 5 DD585L03 Rev D
- Detailed Planting Plan\_Sheet 2 of 5 DD585L04 Rev D
- Detailed Planting Plan\_Sheet 3 of 5 DD585L05 Rev D
- Detailed Planting Plan\_Sheet 4 of 5 DD585L06 Rev D
- Detailed Planting Plan\_Sheet 5 of 5 DD585L07 Rev D
- 1 Bed Bungalow - Type A - Semi (Brick) PL-HT-1A\_S-01
- 1 Bed Bungalow - Type B - Detached Plans PL-HT-1B\_S-01
- 1 Bed Bungalow - Type B - Detached (Brick) PL-HT-1B\_S-02
- 1 Bed Bungalow - Type B - Semi (Brick Quoin & Flint) PL-HT-1B\_S-03
- 2 Bed Bungalow - Type A - Detached Plans PL-HT-2A\_D-01
- 2 Bed Bungalow - Type A - Detached (Brick Quoin & Flint) PL-HT-2A\_D-02



2 Bed Bungalow - Type A - Detached (Brick Detailing) PL-HT-2A\_D-03  
 2 Bed Bungalow - Type A - Semi Plans PL-HT-2A\_S-01  
 2 Bed Bungalow - Type A - Semi (Brick Quoin & Flint) PL-HT-2A\_S-01  
 2 Bed House - Type A - Semi (Brick Quoin & Flint) PL-HT-2B\_S-01  
 2 Bed House - Type A - Semi (Brick Quoin & Render) PL-HT-2B\_S-02  
 2 Bed House - Type A - Semi (Brick) PL-HT-2B\_S-03  
 2 Bed House - Type A - Semi (Brick Detailing) PL-HT-2B\_S-04  
 2 Bed House - Type A - Terrace (Brick Detailing) PL-HT-2B\_S-05  
 3 Bed House - Type A - Semi (Brick Quoin & Flint) PL-HT-3A\_S-01  
 3 Bed House - Type A - Semi (Brick Quoin & Render) PL-HT-3A\_S-02  
 3 Bed House - Type A - Semi (Brick) PL-HT-3A\_S-03  
 3 Bed House - Type B (V1) - Detached (Brick Detailing) PL-HT-3B\_D-01  
 3 Bed House - Type B (V2) - Detached (Brick Detailing) PL-HT-3B\_D-02  
 3 Bed House - Type B (V3) - Semi (Brick Quoin & Flint) PL-HT-3B\_S-01  
 3 Bed House - Type B (V3) - Semi (Brick Quoin & Render) PL-HT-3B\_S-02  
 3 Bed House - Type B (V3) - Semi (Brick Detailing) PL-HT-3B\_S-03  
 3 Bed House - Type C - Semi (Brick Quoin & Flint) PL-HT-3C\_S-01  
 3 Bed House - Type C - Semi (Brick) PL-HT-3C\_S-02 Rev A  
 3 Bed House - Type C - Semi (Brick Detailing) PL-HT-3C\_S-03 Rev A  
 3 Bed House - Type D - Semi (Brick Detailing) PL-HT-3D\_S-01  
 4 Bed House - Type A (V1) - Semi (Brick Detailing) PL-HT-4A\_S-01 Rev A  
 4 Bed House - Type A (V1) - Terrace (Brick Detailing) PL-HT-4A\_T-01 Rev A  
 4 Bed House - Type A (V2) - Semi (Brick Quoin & Flint) PL-HT-4A\_S-02 Rev A

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

- 2 Prior to occupation of any dwelling hereby permitted, details of the cycle storage and bin storage shall be submitted to and approved in writing by the Local Planning Authority. No individual dwelling shall be occupied until the bin storage and cycle storage have been provided in accordance with the approved detail for that respective dwelling. The spaces 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.

- 3 Prior to the occupation of any dwelling, the footpath and footbridge connection to the adjacent development site (Summer Lane) must be implemented and operational. The footbridge shall be maintained in perpetuity.

Reason: To ensure adequate circular walks and routes in line with the mitigation for the Habitats Regulations Assessment (HRA) Appropriate Assessment (AA) in accordance with Policy ENV DM1 of the Arun Local Plan.

- 4 The development shall not be occupied until the access to the site as per the Access Plan PL-02-09 Rev C has been implemented and is fully operational and gives access to Pagham Road.

Reason: To ensure that occupants have adequate vehicular access to the highway.

- 5 No individual dwelling hereby approved shall be occupied until the optional requirement for restricted water consumption in Part G of the Building Regulations as demonstrated through the water calculator has been complied with for that dwelling.

Reason: To improve the sustainability of the dwellings in accordance with policies ECC SP1 and W DM1 of the Arun Local Plan.

- 6 Prior to the commencement of the development, a Mitigation Landscape Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable of when planting (hedging and trees) and fencing on the northern, western and southern boundaries is to be implemented in relation to the commencement of development and pre-construction activities and details showing the measures to protect and maintain the works during the construction phase. The approved detail will be implemented in full.

Reason: To ensure adequate mitigation planting in order to comply with the approved Habitats Regulations Assessment (HRA) Appropriate Assessment (AA) in accordance with Policy ENV DM1 of the Arun Local Plan.

- 7 Prior to the occupation of any dwelling, details of all signage and Homeowner Information Packs pertaining to the education of the Pagham Harbour site shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the locations, appearance and contents of the signage and Information Packs, and shall also be in line with the messaging guidelines of the Pagham Harbour Strategic Access Management and Monitoring Plan. The approved details shall be implemented in full prior to the occupation of any dwelling and maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate mitigation planting in order to comply with the approved Habitats Regulations Assessment (HRA) Appropriate Assessment (AA) in accordance with Policy ENV DM1 and ENV DM2 of the Arun Local Plan.

- 8 INFORMATIVE: Note that the Precautionary Reptile measures specified within the updated Ecology Note, Ecosupport October 2022 shall be included within the submission for Condition 15 of the P/25/17/OUT (relating to an Ecological Management and Mitigation Plan and Schedule of Works).

## **BACKGROUND PAPERS**

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

**P/139/22/RES - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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