

PLANNING APPLICATION REPORT

REF NO: BR/129/19/PL

LOCATION: 75 Highfield Road
Bognor Regis
PO22 8PD

PROPOSAL: Conversion of single dwelling to 4 no. flats including rear projection and 1 parking space (resubmission of BR/215/18/PL)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>It is proposed to demolish part of the end of the rear single storey extension, widen it, part extend beyond its new depth, part widen the main part of the house at ground & first floor and add a new first floor above the rear extensions. The front part of the new building will measure 10.5m wide by 7.8m deep and the rear projection will be partly 8.5m and partly 14.3m deep (with a maximum width of 8.6m). The roofs will be pitched and gabled with the front part having a ridge height of 8.5m and the rear extended part, 8.1m. It is proposed to build the extensions with matching materials.</p> <p>These extensions alongside the conversion enable the creation of 4, 2 bedroom flats (2 per floor). There will be one off-street covered parking space at the front sited at a right angle to the road. To the rear, both ground floor flats will have private enclosed gardens and there will be a communal garden space for the other two flats. There will also be bin and bike stores within the rear space.</p> <p>Members should note that the application as originally submitted proposed a conversion to 6 flats (2 in the roof) with 2 off-street parking spaces but was then changed following concerns over the viability of the 2nd parking space.</p>
SITE AREA	0.0362 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	110 dwellings per hectare (up from 27 dwellings per hectare).
BOUNDARY TREATMENT	<ul style="list-style-type: none"> - 1.9m high wall to side passage (south west); - 1.9m high close boarded fence to no. 77 (north east); - 1.7m high dilapidated close boarded fencing to the rear; and - a low wall to the front.
SITE CHARACTERISTICS	Two storey end terraced dwelling with attached garage to side and short drive (not long enough to accommodate a standard sized car). Mix of materials - brick and flint detailing to front and side, yellow render to the rear and reddish concrete tiles to the roof. There is a single storey flat roofed grey rendered

rear extension to the rear. The building has a maximum ground floor depth of 21m and a maximum ground floor width of 9.1m. At first floor, it is 13m deep by 5.4m wide. It is currently 8.5m to the ridge.

CHARACTER OF LOCALITY

High density residential street. Predominantly terraced dwellings but with some semi-detached houses and the occasional detached dwelling. There are other houses that have been converted into flats or houses in multiple occupation elsewhere in the street. Some houses in the street have roof level velux windows but there are no instances of dormers. On-street parking is considered to be at a premium particularly outside of work hours. Neighbouring properties as follows:

- 69 Highfield Road (to the south west) - detached dwelling albeit in the same design/form as other nearby terraced dwellings. No flank windows affected. Rear windows on the affected side consist of an obscure glazed window at ground floor (use not known but assumed also a bathroom) and a bathroom above. There is a 3.4m driveway gap between the application site and this dwelling.

- 77 Highfield road (to the north east) - mid terraced dwelling. Flat roofed rear extension with a bedroom above.

RELEVANT SITE HISTORY

BR/215/18/PL	Conversion & extension of dwelling comprising two existing flats to form 6 No. flats (4 No. new) with associated ancillary services.	Refused 20-02-19
BR/244/90	Change of use to 2 flats with new two storey extension to form two further flats	ApproveConditionally 20-08-90

It is not known whether the permission for flats was ever implemented as there were no signs of multi-occupancy at the property during the site visit and anecdotal evidence from local residents received at the time of the previous application suggested the property was occupied by a single family.

Application BR/215/18/PL was refused in February 2019 under delegated powers for the following reason:

"The proposed development does not include sufficient parking provision to meet the needs of future occupiers in accordance with the residential parking standards in use at the time and this will result in an increase in pressure for on-street parking spaces which will be harmful to the amenity of local residents by way of increased conflict/competition for existing spaces and the need for residents to park further away from their dwelling. It is therefore contrary to policies T SP1 and QE SP1 of the Arun Local Plan."

A subsequent appeal was dismissed in August 2019. The following is a summary of the main points in the appeal decision notice:

- The Inspector noted that Highfield Road has double yellow lines in parts and that because of the predominantly terraced housing there is a general lack of off-street parking between the railway bridge and the small parade of shops at the junction with Highfield Gardens;
- The Inspector also acknowledged the presence nearby of a takeaway and convenience store which will also contribute to parking demand, particularly in the early evening;
- The Inspector acknowledged the appellants parking survey but noted that the available spaces in the vicinity of the site would be relatively low such that residents would need to park further away. This then supported the objections of residents and is in line with the then view of WSCC Highways that parking is currently at a premium along Highfield Road and on-street parking spaces are limited;
- The Inspector did not consider that it would be reasonable for existing residents in the vicinity of the appeal site to have to routinely park further away from their homes in the evening and overnight than they do now; and
- The Inspector also stated that despite the sustainable nature of the site, there is no guarantee that future occupiers of the flats would not own a vehicle.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

"OBJECTION Although the number of dwellings has been reduced from 6 to 4, the proposed parking spaces have also been reduced from 2 to 1. There is still the potential for the future occupiers of the proposed dwellings to have a number of cars/vehicles between them. Consequently, Members felt that the proposed development does not include sufficient parking provision to meet the needs of future occupiers in accordance with the residential parking standards in use at the time and this will result in an increase in pressure for on-street parking spaces which will be harmful to the amenity of local residents by way of increased conflict/competition for existing spaces and the need for residents to park further away from their dwelling. It is therefore contrary to policies T SP1 and QE SP1 of the Arun Local Plan"

16 letters of objection and 1 letter of support. The letter of support states that parking is not a concern as the writer rents out two properties on Highfield Road (104A & 104D) but neither the current tenants or any previous tenants have owned a car. Furthermore, that Highfield Road is located in walking distance to a variety popular amenities and shops. The objections are summarised below:

- (1) Inadequate parking provision leading to harm to existing residents;
- (2) Proposals will take land from next door for parking;
- (3) Highway safety concerns particularly due to cars exiting the space & turning onto the road;
- (4) Impacts of construction process on road (parking of builders vehicles) & residents;
- (5) No space for bins on bin collection day;
- (6) Overdevelopment of the site;
- (7) Not enough space for landscaping;
- (8) Loss of privacy & light to Gordon Avenue residents;
- (9) Increased noise disturbance to existing residents;
- (10) Devaluation of nearby properties;
- (11) No site notice for amended development;
- (12) Denied access to homes, no emergency service access;
- (13) Insufficient parking; and
- (14) 4 houses will look out of place.

COMMENTS ON REPRESENTATIONS RECEIVED:

In respect of the Town Council comments, parking will be considered within the report's conclusions.

The supporters letter is noted. The following comments are in response to the resident objections:

- (1) This will be considered in the report's conclusions under "Highway Safety and Parking";
- (2) The original proposal (6 flats, 2 spaces) did show an incursion into the driveway on the south side of the property but the amended scheme (4 flats, 1 space) no longer shows this;
- (3) This will be considered in the report's conclusions under "Highway Safety and Parking";
- (4) Any impacts during construction will be temporary in nature. Furthermore, there is other legislation (such as Environmental Law) in place to protect residents from undue noise or dust. WSCC Highways have also requested that a Construction Site Setup Plan be submitted for approval prior to commencement;
- (5) There is space within the front 'garden' (such as between the bay window & front wall);
- (6) This will be considered in the report's conclusions under "Design & Character";
- (7) As the site concerns an existing two storey dwelling with existing rear gardens, it is not considered necessary to require additional landscaping. Furthermore, the planting of trees at the western end of the garden could result in light loss the gardens of Gordon Avenue and so this is not recommended;
- (8) This will be considered in the report's conclusions under "Residential Amenity";
- (9) This will be considered in the report's conclusions under "Residential Amenity";
- (10) The impact of development on house prices is not a material planning consideration;

Points (11) to (14) were received due to an error in the description of the application. This has been corrected and no further consultation is required as the Bognor Regis Town Council comments were in respect of the correct proposal.

CONSULTATIONS

Natural England

WSCC Strategic Planning

Engineering Services Manager

Engineers (Drainage)

Environmental Health

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - No objection subject to a contribution being secured towards mitigation measures at Pagham Harbour.

WSCC HIGHWAYS - No objection. State that parking is currently at a premium along Highfield Road and on-street parking spaces are limited. However, parking is available in the surrounding residential streets and the site is located in a relatively sustainable location close to the town centre and local bus links. Cycle parking has also been provided. The parking space should be allocated to 1 residence and the remaining flats marketed with no parking. Request a construction site setup condition.

ADC DRAINAGE ENGINEERS - Request no conditions due to the relatively small changes in building footprint and the location of the proposed development. Surface water drainage should be designed and constructed in accordance with building regulations.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and all recommended conditions imposed.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;

Pagham Harbour Zone B;

Within 2km buffer zone of Bognor Reef Site of Special Scientific Interest (SSSI);

Within 2km buffer zone of Felpham Site of Special Scientific Interest (SSSI); and

WSSC Waste Consultation Area (Alderton's Yard, Town Cross Avenue site).

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
ENVDM2	ENV DM2 Pagham Harbour
HDM1	H DM1 Housing mix
HWBSP1	HWB SP1 Health and Wellbeing
QESP1	QE SP1 Quality of the Environment
QEDM1	QE DM1 Noise Pollution
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WSP1	W SP1 Water
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local

Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

There are no relevant Bognor Regis Neighbourhood Plan policies.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with the Arun Local Plan in that it would not cause demonstrable harm to the character of the area, to the amenity of neighbouring residents, or result in a severe impact on the local highway. The proposal makes appropriate provision for the protection of Pagham Harbour.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is in the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and provided it is in accordance with other policies of the Local Plan covering such issues as character/design, residential amenity, space standards and highway safety/parking.

Regard should also be had to policy SD SP1 of the ALP which states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)."

The development supports the local community by providing flats to help meet future needs, increase Council tax receipts, create/maintain construction jobs and result in additional spending in the local area by future residents.

NPPF para 118(d) states "Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing". Furthermore, paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In particular, higher densities will be encouraged for city/town centres and other locations that are well served by public transport. The Council cannot currently demonstrate an NPPF compliant 5.3-year supply

of housing land and therefore it is important to boost housing numbers within the district.

The proposal accord with policies SD SP1 and SD SP2 of the Arun Local Plan.

CHARACTER & DESIGN:

Policy D DM1 of the Arun Local Plan requires that the Council seek to make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is also necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. In terms of density, D DM1 requires that new housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. However, higher densities will be more appropriate in the most accessible locations. The policy also requires that the scale of development keep within the general confines of the overall character of a locality.

Policy D DM4 requires that extensions/alterations: sympathetically relate to and are visually integrated with the existing building in siting, massing, design, form, scale & materials; are visually subservient to the main building & provide a high standard of amenity; do not create a terracing effect where no terrace exists; and do not compromise the established spatial character & pattern of the place. ALP policy D SP1 "Design" requires development to make efficient use of land and reflect local character.

The extensions are to the rear and side of the building and although those to the rear will not be visible from the front, those to the side will be visible in the streetscene albeit less so when viewing the property from the north east. The extension to the side is considered to be in character with the existing building being of the same height, design and materials as the existing. Although not subservient in height, this is acceptable as it means that the terraced form is maintained and that there is no height difference to the next dwelling along (no. 69).

The rear extensions, although significant in size, will be lower in total height than the existing house and therefore more subservient in scale. The proposed two storey rear extensions are also staggered in depth so as to protect the amenity of 77's rear first floor bedroom window and to ensure that the part adjoining 77 does not project out beyond the neighbours rear extension. The rear extensions will be designed to match the materials in the house.

It is noted there is an abundance of existing flat conversions and/or houses in multiple occupation (HMO's) in the local area and therefore there can be no in principle objection to a conversion to flats. The proposal therefore complies with ALP policies D DM1, D DM4 & D SP1.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy D DM4 requires that extensions/alterations: sympathetically do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity". Policy QE DM1 provides guidance in respect of new noise generating development and states that applications should be accompanied by a noise assessment. It is not considered relevant to require a noise assessment for new residential development located in a residential area. Para 127 of the NPPF which states that developments should provide a high standard of residential amenity for

existing and future users.

The staggered nature of the rear two storey extensions ensures that the amenity of no. 77's rear first floor bedroom window is preserved (this is demonstrated by the 45 degree angle drawn on the plans). Furthermore, there are no windows proposed in the flank wall of the first floor extension whilst the end of the ground floor element is set behind the end of 77's rear extension.

In respect of the relationship to no. 69, this is separated from the site by a single width driveway therefore there will be a 5.4m gap between the two buildings. The new side extensions are considered to be significant in bulk and scale. However, 69 already has a rear two storey projection and the plans demonstrate that there will be no harm to a 45 degree viewing angle drawn from 69's rear first floor window. No. 69 does not have any flank windows which could otherwise be adversely affected.

A first floor bedroom window proposed in the southern flank wall of the new extension will look out towards 69's rear garden at a distance of 5.4m and could therefore affect the privacy of the existing dwelling. A condition will be imposed to ensure that this window is obscure glazed up to a height of 1.7m above floor level.

The distance from the new first floor rear window on the longest part of the rear projection and the rear first floor windows on nos. 36 & 38 Gordon Avenue will be around 16.9m. The Council has no policies concerning distances between dwellings. As a general rule, it is considered that 20m should be maintained. The proposal is short of this distance and the new bedroom window on the rear could result in harm to the privacy of rear garden and first floor windows. For this reason, it is necessary to obscure glazed this window. This will result in both bedrooms in this particular flat being obscure glazed, however, the flat retains a unrestricted window in its lounge and therefore, will have a decent standard of amenity.

It is not considered there will be any harmful light loss to neighbouring properties due to the position of the site in relation to the sun plus the gaps to neighbouring properties. The proposal complies with policies D DM1, D DM4 and QE SP1 as well as the guidance on amenity within the NPPF (para. 127).

INTERNAL & EXTERNAL SPACE STANDARDS:

Policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the building is suitable for residential use.

All of the flats have 2 bedrooms and whilst the agent describes them as two bed, 3 person dwellings both bedrooms are in excess of the floor area for a double. Whilst the applicant considers the requirement to be 61m², the requirement according to the space standards is 70m². On this basis, three of the four flats would not meet the requirements (at 61m², 66m² and 66m²). The fourth is 85m².

It should be noted that policy D DM2 is clear that the Nationally Described Space Standards provide guidance. This implies that it is not necessary to rigidly accord with these standards. The preamble to D DM2 (paragraph 13.3.4) states: "There might be occasions where development schemes cannot comply with all the space standards required (such as the conversion of an existing building, or where compliance with the standards may harm the historic character of a building). Arun District Council will consider these on a case-by-case basis". It is not considered this shortfall in the standards is so significant or materially harmful as to warrant a refusal on these grounds.

D DM1 refers to the need for compliance with the Arun Design Guide. This is to part replace D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until this Design Guide is published, there is no policy within the ALP regarding private gardens sizes. Para 127 of the NPPF states that planning decisions should ensure that developments have a high standard of amenity for existing and future users. The scheme includes a private rear garden to both of the ground floor flats plus a communal area for the first floor flats.

The proposal complies with policies D DM1 & D DM2 and with the guidance in the NPPF (para. 127).

HIGHWAYS & PARKING:

ALP policy T SP1 seeks to ensure 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. In respect of parking, it states:

"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"

Policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which 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."

WSCC Highways have assessed this application. They note that parking is at a premium along Highfield Road and that on-street parking spaces are limited. They note parking is available in the surrounding residential streets and the site is in a relatively sustainable location close to the town centre and local bus links. They recommend the single parking space is allocated to a particular flat and that the remainder of the flats are marketed as having no parking.

In the defence of the previous appeal, it was stated that although WSCC Highways had no concerns with road safety, the Local Planning Authority are separately able to consider the impact of greater demand for on-street parking on the amenities of local residents. A case was made in the refusal of the previous application that the demand associated with 6 flats would be 4 parking spaces and that therefore an extra 3 cars would be parking on-street. There was clear evidence from local residents that the parking spaces within the street and surrounding roads are already over subscribed and that this creates conflict with other road users and adversely affects the amenities of local residents living in the area. It was considered the additional dwellings would exacerbate these existing conflicts and cause further stress and inconvenience to the local residents.

On the current application, the parking demand is less as the number of flats has been reduced to 4. Whilst there could still be additional residents trying to park on surrounding streets and affecting the amenities of existing residents, it is clear that the impact of the conversion has been reduced and therefore, a different conclusion can be made.

The applicants have provided a Parking Statement which includes the results of a parking stress survey. This indicates that in the Highfield Road area, on the two survey dates (both overnight surveys), there

were at least 16 spaces available. Although, most of these spaces were not in the section of Highfield Road between the railway bridge and the parade of shops at the corner of Highfield Gardens, it does remain clear that there are free parking spaces for people to use.

It is material in this determination that the existing property is a large house with 5 bedrooms and that it could be changed to a house in multiple occupation for the use by 3-6 residents without the need for planning permission (by virtue of permitted development rights). It is material that this is a sustainable edge of town centre location so that residents can walk, cycle or take a bus to access shops, services, employment sources etc. Cycle storage space will be provided to encourage residents to use bicycles. The application shows the parking space end on to the road (as per existing garage driveway space). On the refused scheme, the space was parallel to the road and would have reduced the amount of on-street parking available to other residents to the front (to leave space for a car to manoeuvre into the space).

On the basis that the number of flats has been reduced and with regard to the other considerations noted above, it is considered that the parking shortfall is not materially harmful to highway safety or local amenity and it is therefore considered that the proposal is in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

IMPACT ON THE PAGHAM HARBOUR SPECIAL PROTECTION AREA:

ALP policy ENV DM2 requires that new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The Councils Cabinet subsequently approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

The application site lies within the designated Zone B and accordingly it was necessary to apply this requirement. The applicant has agreed to the £1742 contribution but at the time of writing (due to the need to vary the Agreement following the reduction from 6 flats to 4), the agreement has not been signed.

SUMMARY:

There is no in principle objection to further residential development on this site within the built up area and it is considered that the proposal complies with development control criteria concerning highway safety, internal space standards, character and overlooking/light loss. In addition, in respect of parking the reduction in the number of flats from 6 to 4 and the maintenance of 1 existing parking space means that the impact of additional parking demand for on-street spaces is now acceptable. It is therefore considered that this application is acceptable in all regards and should be approved.

As the legal agreement to secure the Pagham Harbour contribution has not been signed, it is requested that the Development Control Committee agree to delegate the approval of planning permission, to the Group Head of Planning for a decision to then be made once the legal agreement has been signed.

Should the agreement be signed prior to the date of the Committee, then a report update will be produced to update members and amend the recommendation.

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

This decision will be granted with a S106 legal agreement relating to a contribution of £1742 towards the provision of accessible natural open green spaces to offset the impact of the development on the Pagham Harbour Special Protection Area.

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 plan:

Drawing ADS-002-P Rev K (Proposed Floor Plan, Parking Sweep Diagram, Roof Plan, Elevations and Site Plan)

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

- 3 No demolition or construction activities shall take place, other than between 08.00 to 18.00 hours (Monday to Friday) and 08.00 to 13.00 hours (Saturday) with no noisy working activities on Sunday or Bank Holidays.

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

4 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to the highway in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

5 The materials and finishes of the external walls (render and brick) and roofs (tiles) 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 policy D DM1 of the Arun Local Plan.

6 No development above damp-proof course (DPC) level shall take place until details of any new screen walls and/or fences (including those to enclose the proposed bin store) have been submitted to and approved by the Local Planning Authority and none of the flats shall be occupied until such agreed screen walls and/or fences have been erected.

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

7 No part of the development shall be first occupied until the single car parking to the front has been provided in accordance with the approved site plan ref ADS-002-P Rev K. This parking space shall thereafter be allocated to one of the numbered flats, and retained at all times for its designated purpose.

Reason: To provide adequate on-site car parking space for the development in accordance with policy T SP1 of the Arun Local Plan.

8 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 by the Local Planning Authority. Such cycle storage spaces should thereafter be permanently retained in good working condition.

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

9 Prior to occupation of any of the flats, a scheme for the provision of facilities to enable the charging of an electric vehicle parked on the property shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge point shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

10 None of the new flats shall be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon 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 policy ECC SP2 of the Arun Local Plan.

- 11 All of the proposed ground floor and first floor bath/shower rooms shall be obscure glazed and permanently fixed to be non-opening below 1.7m above floor level.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 12 The first floor south west facing and northwest facing bedroom windows in the rearmost flat shall at all times be glazed with obscured glass up to a height of 1.7m above floor level.

Reason: To protect the amenities and privacy of the windows and gardens to 69 Highfield Road & 36-38 Gordon Avenue in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

- 13 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 14 **INFORMATIVE:** This decision has been granted with a s106 legal agreement relating to a contribution of £1,742 towards the provision of accessible natural open green spaces to serve the Pagham area.

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)

BR/129/19/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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