

Recommendation Report for Planning Permission

REF NO: BE/82/21/PL

LOCATION: 240-244 Chichester Road
Bersted
PO21 5BA

PROPOSAL: 1 No. 2-bed & 2 No. 1-bed flats above shop premises to rear of Truevision. This site is in CIL Zone 4 (Zero Rated) as flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is for the erection of 3 flats - 1 x 2-bed and 2 x 1-bed - above the rear portion of the retail unit. The internal layout of flats is governed by supporting walls of building dividing the space into three areas. The proposed first floor extension provides an area of approximately 180m ² accessed via external stairs and would be characterised by gabled and hipped roof with roof pitches of the same height as that of original building facing Chichester Road.
SITE AREA	600 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	83 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the development.
BOUNDARY TREATMENT	There is no boundary treatment to the front but there is an approximately 2m high brick wall to the rear.
SITE CHARACTERISTICS	The site is on the east side of Chichester Road and comprises a semi-detached two storey property with the large shop area at ground floor and residential above accessed via a passage along the south of building which terminates in a yard area with stair. The Truevision premises have been extended to the rear to provide additional shop storage/office space with flat roof above. To the north is a narrow vehicular entrance between Truevision and No 244 leading to a parking area between rear extension of No 242 and the rear of No 246 with an residential extension above. There are no trees on the site.
CHARACTER OF LOCALITY	Built-up locality, mixed uses comprises predominantly two storey terrace and semi-detached properties. The area is part of a shopping parade with commercial at the ground floor and residential above and a light industry (Bognor Regis Plumbase) to the east.

RELEVANT SITE HISTORY

PAA/89/19/

2No. First floor flats above shop premises to the rear of Truevision.

Approve Pre App
09-12-19

BE/24/02/

Extension to existing storeroom, move entrance to existing flats and replace shop front window

ApproveConditionally
08-05-02

Noted. Pre-application advice was sought for the same development with some changes with regards to elevations.

REPRESENTATIONS

Bersted Parish Council: No objection.

No letters of representation received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

DRAINAGE ENGINEERS: Due to the scale of the application (no increase in impermeable area) we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

ENVIRONMENTAL HEALTH: No objection subject to suggested conditions.

PRIVATE SECTOR HOUSING: Full comments online. Housing standards, including room sizes and facilities must be complied with.

WSCC: The LHA does not consider this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. No objection subject to suggested conditions.

NATURAL ENGLAND: No objection, subject to appropriate financial contribution an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The Appropriate Assessment has been sent to Natural England and approved.

POLICY CONTEXT

Designation applicable to site:

Pagham Harbour Access Management Zone B;
Built-Up Area Boundary.

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
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

<u>Bersted Neighbourhood Plan 2014 Policy ES1</u>	Design of new development
Bersted Neighbourhood Plan 2014 Policy ES2	Surface water management
Bersted Neighbourhood Plan 2014 Policy ES8	Renewable energy
Bersted Neighbourhood Plan 2014 Policy HDQ6	Outdoor space
Bersted Neighbourhood Plan 2014 Policy HDQ7	Attention to detail
Bersted Neighbourhood Plan 2014 Policy HDQ8	Car parking

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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 relevant policies of the Bersted Neighbourhood Development Plan have been taken into account in determining this application: ES1 Design of new development, ES2 Surface water management, HDQ6

Outdoor Space, HDQ7 Attention to detail and HDQ8 Car parking.

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 Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

KEY ISSUES

The key issues are principle, design and visual amenity, residential amenity, highways/traffic and impact on Pagham Harbour.

PRINCIPLE:

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

Regard should be had to policy SD SP1 of the Arun Local Plan which states "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)." Para 120 (d) of the NPPF states that 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 where land supply is constrained and available sites could be used more effectively (for example converting space above shops)".

The site is in a sustainable location in walking distance of a range of shops, facilities and services. There are frequent bus services on Chichester Road providing access to Bognor Regis, Littlehampton, Chichester etc. and this includes Chichester and Barnham Railway stations. Bus stops for these services are located in a very short distance of the site. Therefore, the LPA considers the development comprises sustainable development when assessed against the three objectives in the NPPF.

The development complies with policies SD SP2 and SD SP1 of the Arun Local Plan and relevant paragraphs of the NPPF.

CHARACTER OF THE AREA:

Policy D DM1 of the Arun Local Plan requires the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Policy D SP1 "Design" states: "All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policies ES1 and HDQ5 of the Bersted Neighbourhood Development Plan require new development to be of a high quality and to reflect the character of the location.

The Arun Design Guide Supplementary Planning Document (SPD) adopted 25th January 2021 is a material consideration in the determination of applications. Part R.O1 which deals with Apartments, requires development to provide flatted developments which integrate well with and respond sensitively to their setting. Well-designed apartment buildings make a valuable contribution to meeting housing.

Para 130 of the NPPF 2021 states: "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)."

The National Design Guide was published in 1 October 2019. Part C1 maintains that well-designed places are:

- based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- integrated into their surroundings so they relate well to them;
- influenced by and influence their context positively; and
- responsive to local history, culture and heritage.

The first floor extension of an existing rather large single storey rear extension to 240 and 242 would be sensitively designed by not rising the full two storeys over the entire length of the building, forming a hipped end to the main roof close to the host building and gabled and catslide roof to the east facing Plumbase. No part of extension would be higher than the roof ridge of the semi-detached building; the first floor extension would be partially visible from Chichester Road in the gap between 238a and 240 and between 242 and 244 protruding from both sites of host building by approximately 1.5m. Given more traditional design which would be exploited and the position of the extension, slightly closing rather big gap between 238a and 240, it would present a positive appearance especially viewed in context of neighbouring buildings. The proposal transforms the large area of flat roof above ground floor into residential self-contained flats. The changes would be visually integrated with the rear of the proposal building in sitting, massing/design and responds to the pattern of surrounding development.

It is not considered that the development would detract from the local and wider area's character. The proposal complies with Arun Local Plan policies D DM1, D SP1, policy ES5 of the Bersted

Neighbourhood Development Plan, Arun Design Guide and with the guidance on character in the NPPF.

NOISE & RESIDENTIAL AMENITY:

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

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, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District."

Policy QE DM1 seeks to protect against the impacts of new noise generating development. It states that: "Developers proposing new noise generating development must seek advice from an early stage to determine the level of noise assessment required." It also emphasises that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

None of the Bersted NDP policies refer to residential amenity issues. One of the 'core planning principles' of the NPPF is to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 130 f).

It is not considered a residential use would be a noise generating form of development especially in an area of mixed use development. The residential use would have similar characteristics to other residential properties in the locality.

The most sensitive elevation in terms of overlooking would be the north elevation with the habitable windows of No 246 at first floor level in a separation distance of 8m therefore canted bay windows facing north-east are proposed to avoid direct overlooking with the exception of the window of flat No 2 in the very end of northern elevation with no window on the opposite side.

The only window of the south elevation facing to the garden of 238 would be an obscure glazed bathroom window. There would be no overlooking from the landing area leading to the flats due to its position opposite side of windowless flank elevation of 238. It is not considered the flats would result in any refusable amenity impacts to the residents of adjacent properties.

It is necessary to assess if the intensification and extension of the access driveway would be harmful to amenities of neighbouring property (246). The access already exists, the area is used for Truevision parking and its intensification is unlikely to result in a material increase in noise, disturbance or air pollution. The main entrance to the flat would be from the side of 240 Chichester Road and there is an intention letting the flats preferably to non-car owners though this can not be controlled. The introduction of soft landscaping in the parking area would be beneficial for existing and future occupiers.

Local Plan policy QE DM1 emphasises that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

During site visit, early afternoon, it was spotted that a large lorry was approaching the Plumbase to the rear. The applicant confirmed in their submitted DAS that Plumbase is a relatively benign neighbour in that the enterprise does not make undue noise, deliveries are modest, reasonably infrequent on a weekly

basis, and mainly in the mornings.

As such the proposal complies with Arun Local Plan policies D DM1, QE SP1 and QE DM1.

COMPLIANCE WITH INTERNAL FLOOR SPACE STANDARDS:

Policy D DM1 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 therefore 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.

The requirement for a single storey, 2 bed, 3 person dwelling is 61m² whilst 65m² is proposed (flat 1); requirement for a single storey 1 bed, 2 person is 50m², whilst 64m² is proposed (flat 3); flat 2 will have 49.0m² but it is considered to be acceptable. The flats broadly meet the requirements of Nationally Described Space Standards.

Arun District Council has no size standards in respect of private gardens although section H.04 of the Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space.

Bersted Neighbourhood Plan Policy HDQ6 requires private outdoor garden amenity space or a shared amenity area for all new dwellings.

Regard should be had to paragraph 130(f) of the NPPF(2021) which requires that new development has a high standard of amenity for existing and future users.

In respect of external standards, none of 3 flats have access to private space, however the property is in a walking distance of 500m from the closest Play Area to the south-east. The proposal complies with the relevant internal standards and broadly comply with external standards providing limited private/communal amenity space. It is considered to be acceptable given the vicinity of public open space and a sustainable location with a frequent bus services within a very short distance.

PRIVATE SECTOR HOUSING:

In their comments they pointed out at "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing". The external staircase serving the flats is the means of escape, therefore it should be protected from the effects of fire along its length. The sensitive area is 1.8m horizontally therefore any windows in this region should be of fire resisting construction and, if possible, fixed shut and any doors should be fire resisting and self-closing. This will include any windows and doors to the existing flats."

This could potentially cause problems for flat 3 as the windows serve the kitchen and bedroom. These windows would need to remain as opening casements, since the kitchen is considered a higher risk room and, as it is likely the window would be opened regularly for ventilation during cooking and washing, it compromises the means of escape further; potentially to an unacceptable level. It is strongly advised to liaise with a fire risk assessor and/or the relevant fire authority for their comments. Alternatively, consideration could be given to re-configuring the layout of flat 3 so that the kitchen is not located along the length of the external staircase.

CAR PARKING & HIGHWAY SAFETY:

Arun Local Plan 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 highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking".

Policy HDQ8 of the Bersted Neighbourhood Development Plan stresses that proposals for new development will have adequate onsite parking to meet current and future needs at a minimum rate of two spaces per dwelling unless alternative and accessible car parking arrangements can be made which do not add to on-street congestion.

Para 110 of the NPPF (2021) 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 111 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."

According to the requirement of the Arun Parking Standards 1 parking space for 1 or 2 bed flat in Parking Behaviour Zone 4 is required. The site is accessed from Chichester Road and no alterations to the access are proposed. It provides 6 parking spaces, with two informal spaces for retail customers on the site frontage and four spaces to the north of the site, accessed via a side access. The Design and Access Statement indicates this parking provision will be unallocated for use by customers and staff of the retail unit and for residents of the proposed flats; although letting preference will be given to non-car owners.

WSCC do not consider this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the NPPF (paragraph 111) and that there are no transport grounds to resist the proposal.

Secure and covered cycle storage is proposed within the access stairs, this should provide storage for a minimum of three bicycles, in accordance with Arun's parking standards. In front of the proposal site is a bus stops providing frequent bus services with access to Bognor Regis, Littlehampton and Chichester as such the future occupiers would not rely on use of private cars.

It is considered the proposal would satisfy policy T SP1 of the Arun Local Plan, Arun Parking Standard and with the guidance on highways in the NPPF.

BIODIVERSITY:

Policy ENV DM5 of the Local Plan requires development schemes shall seek to achieve a net gain in

biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

The documents do not show any indicative landscape offer, this would need to be detailed to provide a scheme which will soften the development and add to biodiversity net gain. The impact of the proposals could be lessened in this location and blended into the surrounding residential setting with further thought given to the landscape offer and greening to enhance this.

Taking into account the condition and character of site, it is considered the proposal accords with the policy above subject to suggested condition.

IMPACT ON THE PAGHAM HARBOUR SPECIAL PROTECTION AREA:

ALP Policy ENV DM2 requires 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.

NPPF, paragraph 174 a) stresses that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status).

The site lies in designated Zone B and this application results in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

According to Natural England's advice, an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), PART 6, Chapter 2 should be carried out. Therefore it should be considered whether the proposed development as a whole, notwithstanding financial measures, is likely to have a significant effect on the Pagham Harbour Special Protection Area.

The application for the first floor extension of property results in recreational disturbance only to Pagham Harbour. Having considered the mitigation and avoidance measures to be provided in-perpetuity through the contribution to the Joint Pagham mitigation scheme, Arun District Council conclude that with mitigation the plan or project will not have an Adverse Effect on the Integrity of the European protected site(s).

The Appropriate Assessment has been sent to Natural England and they state that all mitigation measures are appropriately secured in any planning permission given.

On the basis of a net gain of 3 units, the applicant has agreed to the £2,613 contribution and this is secured by the agreed Section 106 agreement. There is no conflict with policy ENV DM2 of the Arun Local Plan.

SUMMARY

The extension above the retail area resulting in three flats represent an efficient use of urban land without compromising the visual amenities or character of the area, highway safety or the amenities of nearby residential occupiers. The proposal is sustainable development and is in a general compliance

with development plan policies. The recommendation to approve is made subject to conditions and informative.

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 £2,613 towards the cost of delivering measures to avoid or mitigate to an acceptable level, the harm caused to Pagham Harbour by the Development.

CIL DETAILS

This application is not CIL liable as it falls within in Zone 4 and the 'Flats' element is Zero rated.

RECOMMENDATION

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Dwg No 1764/1, Block Plan & Location Plan;
Dwg No 1764/2, Ground Floor Plan as Proposed;

Dwg No 1764/3, Proposed First Floor Plan;
Dwg No 1764/4, Roof Plan;
Dwg No 1764/5, Proposed North & East Elevation;
Dwg No 1764/6, Proposed South & East Elevation;
Dwg No 1764/7, Sections.

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

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

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

- 4 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, 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 Parking Standards SPD and the National Planning Policy Framework.

- 5 The bin store as shown on the approved plans should be available prior to occupation of the flats. This space shall thereafter be retained at all times for their designated purpose.

Reason: To protect the amenities of nearby residents in accordance with Arun Local Plan policy WM DM1.

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

Reason: To provide adequate on-site car parking for the development in accordance with policies D DM1 and T SP1 of the Arun Local Plan.

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

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

- 8 No construction/demolition 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 works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan

- 9 The development shall be carried out in accordance with the 'Arun District Council Construction Code of Practice: For small developments in Arun'.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031.

- 10 Details of the landscape provision should be submitted for approval prior to occupation. The opportunity to increase the biodiversity of the site and potential screen the proposals should be considered. Any trees and shrubs specified should be at a size which allows instant impact, but which will establish and mature as the site develops. Landscape details will be required to be submitted in plan form detailing species choice, quantities, planting densities and size at time of planting. The details so approved shall be implemented in prior to occupation of the approved flats, in accordance with the approved details, and permanently retained thereafter.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 11 No part of the development shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the proposed flats use 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.

- 12 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 13 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £2,613 towards the cost of delivering measures to avoid or mitigate to an acceptable level, the harm caused to Pagham Harbour by the Development.

- 14 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.