

Conversion of Change of Use
of Single Storey former
Painter's Workshop to Form
of Mixed Retailing with Stair
Ramp and Access Staircase
Parcelfree

47 Aldwick Road, Horndean
Bucks, West Sussex, BN4 2RN

Planning, Heritage, Design & Access Statement *(including Biodiversity Net Gain Statement)*

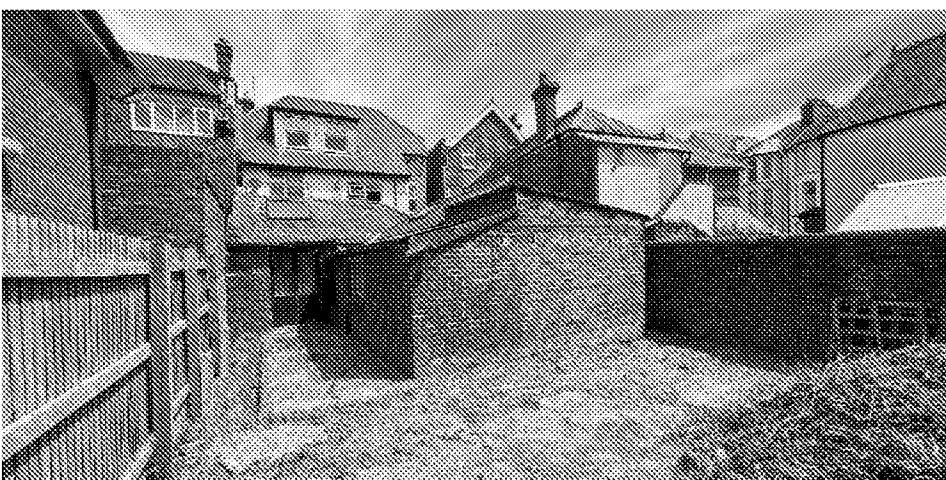


Figure 1 Application site Viewed from Rear of 47 Aldwick Road

Planning (1a) Planning History

Planning Application
Planning Permission
Planning Appeal
Planning Inquiry



Pickup Town Planning

1.0 Introduction

1.1 The application site comprises a three-storey end of terrace property located on the south side of Aldwick Road in Bognor Regis. The existing ground floor accommodation comprises a Use Class E town centre commercial unit, at the front, along with a long-time vacant, former printers' workshop, to the rear. Each of the two upper floors are occupied by a single residential flat.



Figure 2 Frontage of 47 Aldwick Road, Bognor Regis

1.2 Planning permission is sought for the conversion of the rear single storey part of 47 Aldwick Road to form a two-bedroom dwelling. The dwelling would be served by a 5.9m to 12.7m deep amenity space, with pedestrian and cycle access around the side of the existing building.

1.3 This statement describes our client's proposal and places it in context with relevant national and development plan policy, guidance and advice. It will be concluded that our client's application proposal should receive support and be granted planning permission.

2.0 Application Site Description

2.1 The application site comprises a three-storey end of terrace property located on the south side of Aldwick Road in Bognor Regis. The existing ground floor accommodation comprises a Use Class E town centre commercial unit, at the front, along with a long-time vacant, former printers' workshop, to the rear. Each of the two upper floors are occupied by a single residential flat. The front ground floor was occupied, up until recently, by an estate agents business, whereas the rear of the site has been vacant since 2007/2008.

2.2 The site is roughly rectangular in shape, however, tapers gradually from front to back having a maximum width and length of 11.5m and 31.0m respectively. The site is located within an area known as West End with shops, cafes and offices which on both sides of Aldwick Road between its junction with Park Road, to the east, and Nyewood Lane, to the west. The site is within designated Built-Up Boundary for Bognor Regis and is within an area defined as Flood Zone 1 by the Environment Agency. The application building is identified within the Council's Buildings & Structures of Character, Adopted

September 2005, Supplementary Planning Document as a locally listed building.



Figure 3 Application Site and Surrounding Area

2.3 The application site is flat with access to the rear being via a gated side alley to the east of the building. As has been stated, the front of the ground floor of the premises currently accommodates a Use Class E town centre unit that was last occupied by an estate agents business. This unit has a floor area of some 112.0sq.m. This unit accommodates a shop floor, kitchen, offices and a staffroom, wc, together with a store area and occupies the 'footprint' of the three-storey building as well as a small part of the series of ground floor extensions to the rear. To the rear of the frontage unit is a self-contained unit that was last used as a printers' workshop in 2007. This has a floor area of some 51.5 sq.m. and comprises the former workshop, store and wc. Immediately on entering the rear part of the site through the gate is an external, cast-iron circular staircase. This serves as a means of escape for the existing first and second floor flats. The gated side alley also allows access to the rear yard. The yard has a depth of between 5.9m and 12.7m and a width of between 7.0m and 8.0m. This area is mainly laid with a concrete surface which has broken up in places.

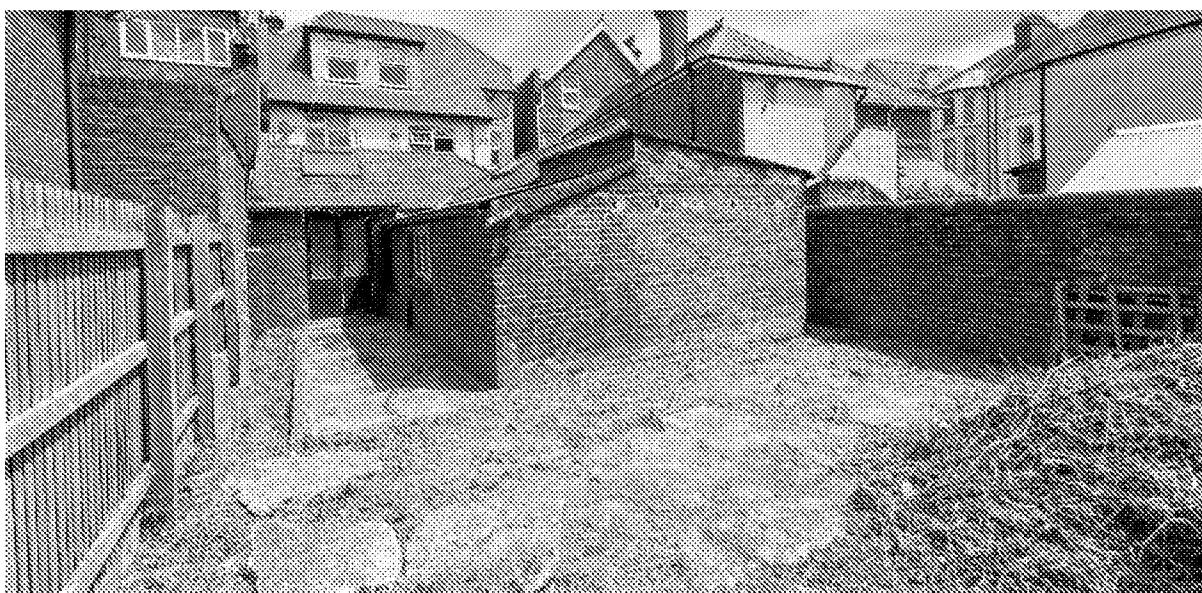


Figure 4 Rear of 47 Aldwick Road from Yards Southern Boundary

2.4 Externally, the buildings frontage onto Aldwick Road is constructed with a dark painted exposed timber frame together with infill panels of painted pebbledash render and facing brickwork. The front, north, elevation of the building accommodates a traditional shopfront with recessed, central door entrance. A separate entrance to the buildings upper floors is located to the left of the building's shopfront.

2.5 To the rear of the 3 storey front element of the building are a series of single storey additions. Two of these have been constructed with hipped, ridged and flat roofs whilst the southernmost extension has been built with an asymmetrical ridged roof. The rear single storey additions are built with a red/brindle coloured facing brickwork with fenestration being painted timber and sit beneath a combination of a slate pitched roof (within which are set 3 roof lights) and flat felt roof. The rear yard is mainly laid to concrete which has broken up in places.



Figure 5 View of Yard Area Running Alongside the Western Side of the Rear Single Storey Extension

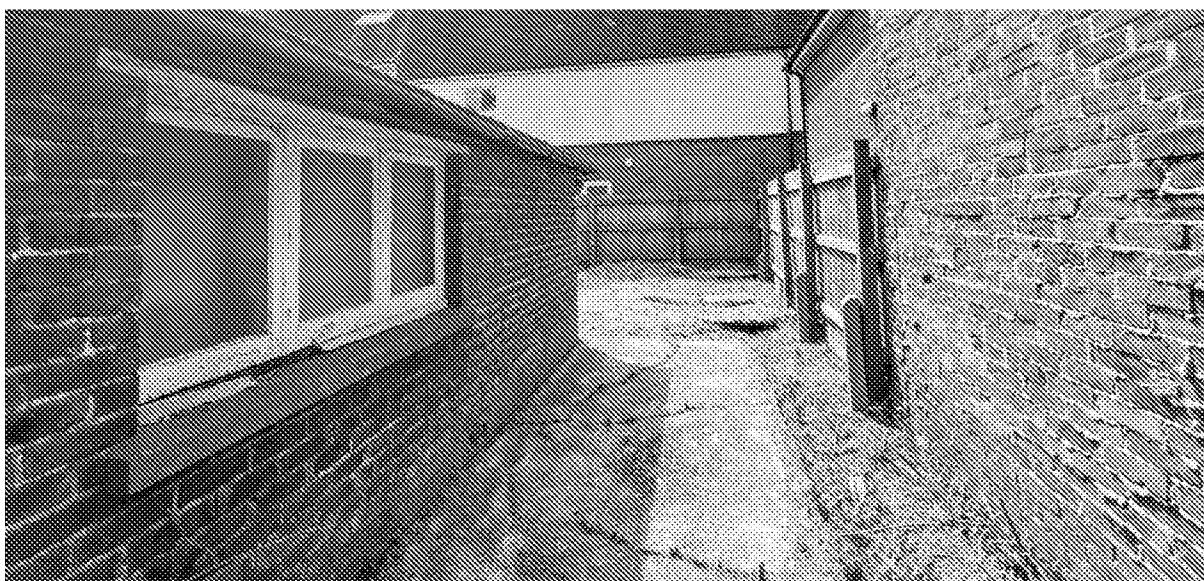


Figure 6 View of Yard to South taken from Outside Double Doors in Rear Elevation

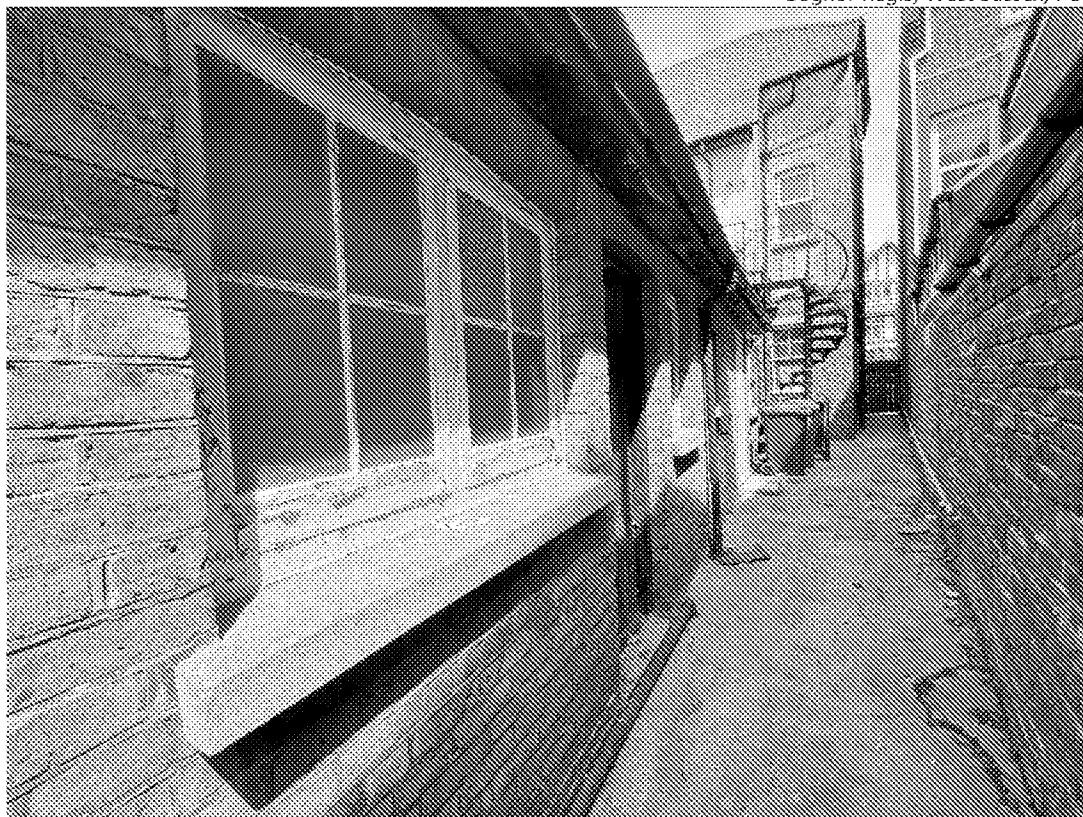


Figure 7 View North Up Passageway Running Alongside Buildings East Elevation to Aldwick Road

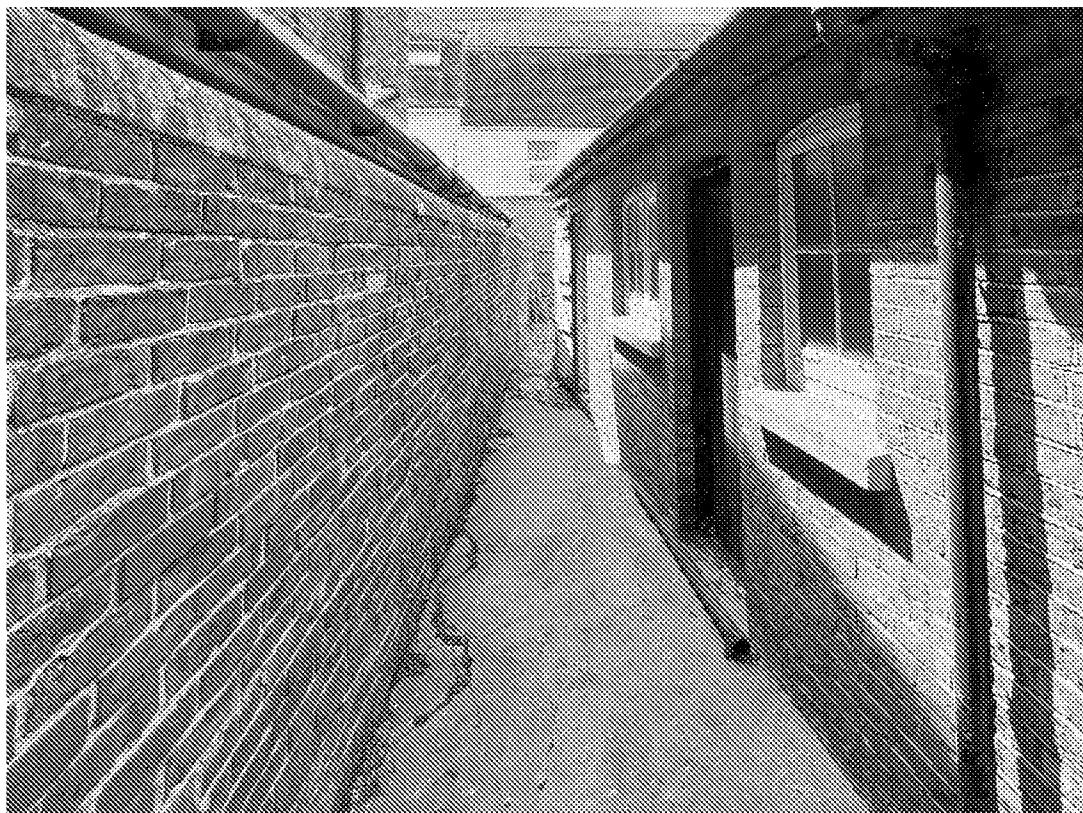


Figure 8 View South from Passageway Running Alongside Buildings East Elevation to Aldwick Road



Figure 9 View Looking South from Interior of former Printer's Workshop



Figure 10 Interior Views of former Printer's Workshop

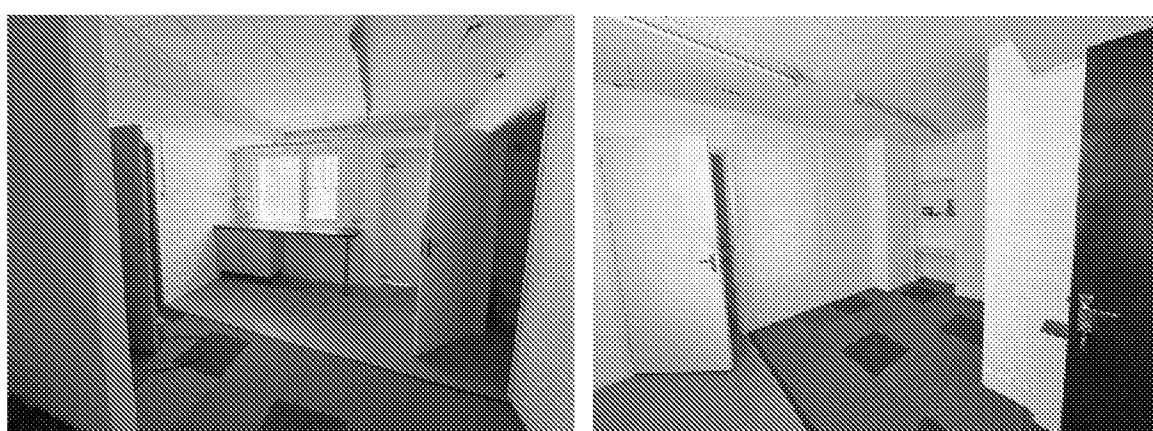


Figure 11 Part of Existing Use Class E Frontage Unit to be Utilised as part Dwelling

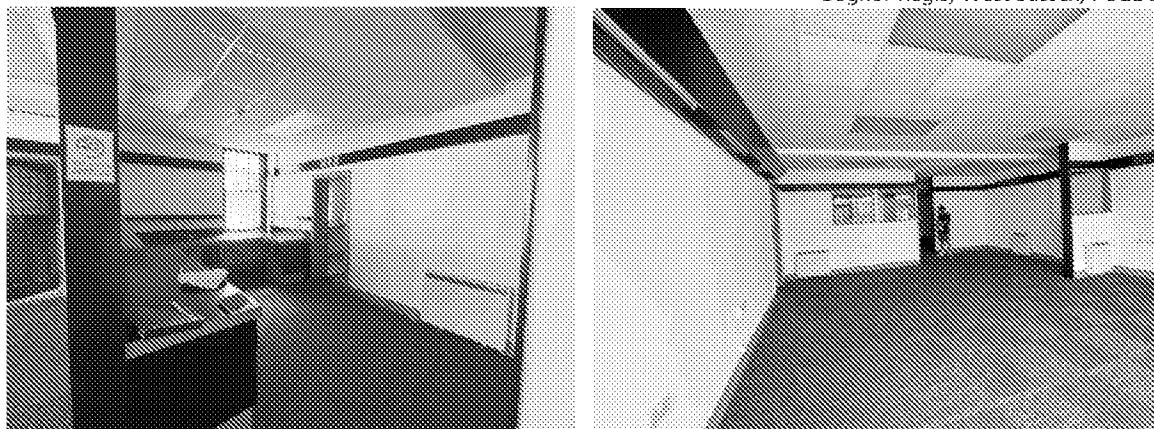


Figure 12 Parts of Frontage Unit to be Retained for Use Class E Purposes



Figure 13 View North from Shop Floor of Window Frontage and Aldwick Road



Figure 14 Application Property within Existing Aldwick Road Streetscene



Figure 15 View East from Rear Yard of 47 Aldwick Road

2.6 Mapping evidence suggests that the property was constructed sometime 1896 and 1910. The style and appearance of the building reflects the architecture of the Arts & Crafts movement which was popular at the time.

2.7 The application site is located on the south side of Aldwick Road within a row of mixed commercial and residential development. As can be seen from the photos at Figs. 2 & 14 the application building is constructed with an exposed timber façade, at first and second floor level, as are the adjacent properties at 49 and 51 Aldwick Road, to the west. Other buildings within the same row are constructed with steep gabled roofs but vary in their style of architectural finish. Both 43 & 45 Aldwick Road are constructed with red brick elevations which accommodate projecting flat roofed bay windows at first floor level. Beyond 51 Aldwick Road are other three storey mixed use buildings constructed with white painted elevations along with Dutch gabled front elevations. These buildings also accommodate projecting first floor bay windows. Like the application building, several of the properties to the west are also locally listed buildings not falling within the designated Aldwick Road Conservation Area. The site is within a convenient walking distance of Marine Park Gardens, the Bognor Regis Promenade and its beaches.

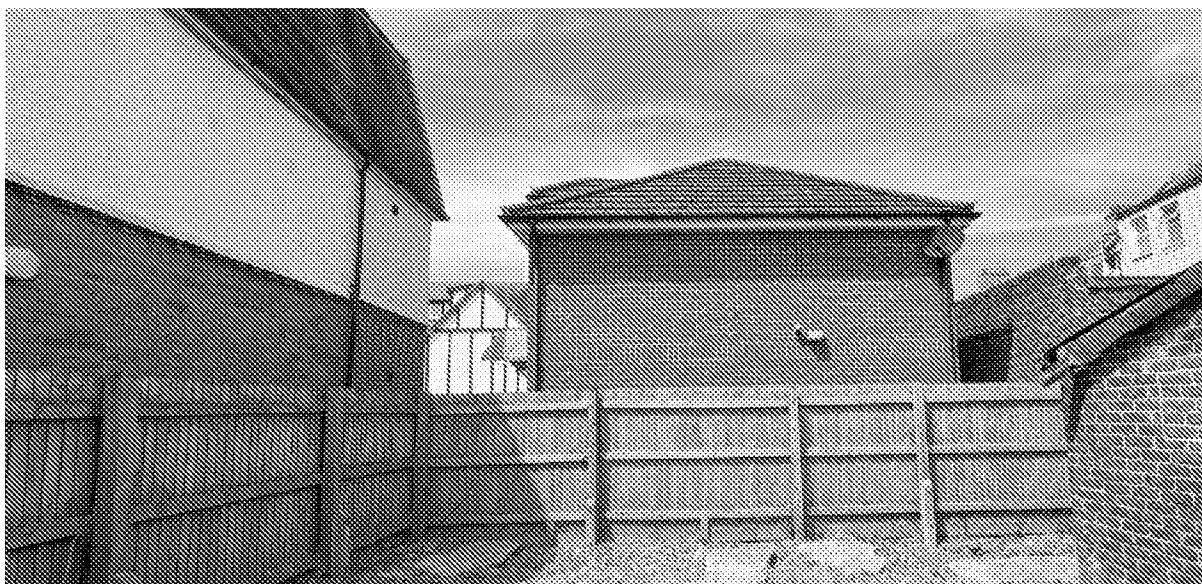


Figure 16 View West from Rear Yard of 47 Aldwick Road

2.8 Part of the prevailing pattern and character of development within the existing row of development on the south side of Aldwick Road is the provision of dwellings to the rear of the frontage premises.

2.9 Immediately to the south and west of the application site is Hilary House, which comprises 12 flats within two blocks. These are accessed from both Park Road, to the east and Stocker Road to the south. Immediately west of the rear yard of the application site is the rear yard of 45 Aldwick Road (please refer to Figs. 15 and 16). The rear yard is enclosed by a 2.0m high close boarded fence to its west and south boundaries together with a 2.0m high brick wall along its eastern boundary.

3.0 Planning History

3.1 The application property has the following planning history:

BR/35/58	Conversion to 2no. Self-contained flats—approved on 26-03-58.
BR/321/71/A	Application for non-illuminated fascia—Withdrawn on 20-05-71
BR/464/79	Application for Change of Use of ground floor shop to Creperie and Wine Bar—Withdrawn on 18-07-79
PAA/184/17	Pre-application enquiry for creation of passageway between pavement and rear of 47 Aldwick Road through existing retail unit—Approved on 07-11-17
PAA/14/18	Pre-application enquiry for the erection of a two storey building comprising 2no. Residential units.
PAA/100/19	Pre-application enquiry for the demolition of single storey part of retail unit and storage area, creation of a semi external gated secure passageway and construction of 2no. two bedroom houses.

3.2 The pre-application enquiry made to the LPA under reference PAA/100/19 sought the LPAs advice in relation to a proposal to demolish the existing single storey part of the existing building and the construction of a pair of two storey, two-bedroom houses. The proposal indicated a pair of townhouses built against the sites west boundary with access being via a new passageway from Aldwick Road formed through the ground floor of the original frontage building. The pair of dwellings were oriented with all their windows facing east.

3.3 The LPA confirmed that the principle of the development was acceptable in relation to policies SD SP2 and RET SP1 stating that “Bognor Regis will be the main focus for residential development throughout the plan period.” With regards to design (policies D SP1, D DM1 and QE SP1) the pre-app response stated *“the single aspect eastern orientation, would significantly restrict opportunities for the dwellings to access sufficient light to provide an acceptable level of amenities of future occupants.”* The pre-app confirms that the dwellings would be acceptable in terms of being compliant with the Nationally Described Space Standards, neighbouring amenity, availability of on-site amenity and access to public amenity spaces and highways and parking standards (i.e. nil parking provision). With regards to its impacts on the non-designated heritage asset the pre-app response stated “The proposals would not result in any harm or loss on the significance of the non-designated heritage asset and would therefore preserve the significance and setting of the non-designated heritage asset.”

3.4 The pre-application response concludes by stating “Based on the above comments I conclude that were an application for planning permission be submitted it would likely be refused for the following reasons:

- "1. The proposed design, by virtue of the ground floor nature of the primary living accommodation and single aspect easterly facing dwellings, would fail to deliver accommodation with a high standard of amenity for future occupants; contrary to Arun Local Plan Policies QE SP1 and D DM1 and paragraphs 122, 123(c) and 127(f) of the National Planning Policy Framework."*

3.5 The applicant has carefully considered this pre-application response (a copy is attached to this statement as **Appendix I**) and has concluded that the conversion of the existing rear single storey element to provide a 2 bedroom dwelling with light being received by windows within the east, west and south elevations as well as via rooflights together with a private amenity space which would accommodate cycle and refuse storage facilities would address the issues raised by Officers at the pre-application stage.

4.0 Proposed Development

4.1 A grant of planning permission is sought for the conversion and use of the rear single storey part of 47 Aldwick Road to form a two-bedroom flat. The proposed flat would have a floor area of approximately 80.0 sq.m. This would combine the 54.5 sq.m. of the former long-time vacant printers' workshop with the rear 25.5 sq.m. of the existing Class E commercial unit. The remaining Class E commercial unit would have a floor area of around 80.5 sq.m.

4.2 The proposed dwelling would comprise two bedrooms, a combined kitchen, diner, lounge area together with a hall and bathroom. Entry to the proposed dwelling would be via a second gated entrance within the side alley. The alley would lead to the dwellings front door and then the rear private amenity space beyond.

4.3 Externally, the proposals would result in the blocking up of two existing doorways in the buildings east elevation and the reconfiguration of glazing on this façade to provide 4 windows. Two of these windows would serve the kitchen/diner/lounge space, one a bedroom and one the bathroom. Additionally, a pair of glazed double doors would be inserted into the building's south elevation (also to serve the kitchen/diner/lounge) with an existing timber door being replaced by second pair of glazed doors in the dwellings 'set-back' south elevation. An existing timber window in the buildings west elevation would be replaced – and would serve the kitchen/diner/lounge. All of the proposed windows and doors would be white UPVC. Furthermore, additional light would be provided to the dwellings interior by four roof lights - one to each of the proposed bedrooms and two to the kitchen/diner/lounge. All of the dwellings' external elevations would be finished with a white painted smooth concrete render. The refurbished roof would be finished with slate tiles to match the existing.

4.4 It is also proposed to modify part of the existing roof structure over the southernmost element of the rear single storey extensions. The existing asymmetrical roof would be replaced with a part ridged-gabled / part flat roof. It is also proposed to replace the existing flat roof over what would be the second bedroom.

4.5 The rear amenity space would be part paved, part laid to lawn. This space would also accommodate a timber clad, secure bike/bin store.

4.6 The proposed development would necessitate the refurbishment of the existing frontage Class E commercial unit. As such, the existing store room on the east side of the unit would be repurposed to provide a w.c. and staff kitchen/cloak room facility.

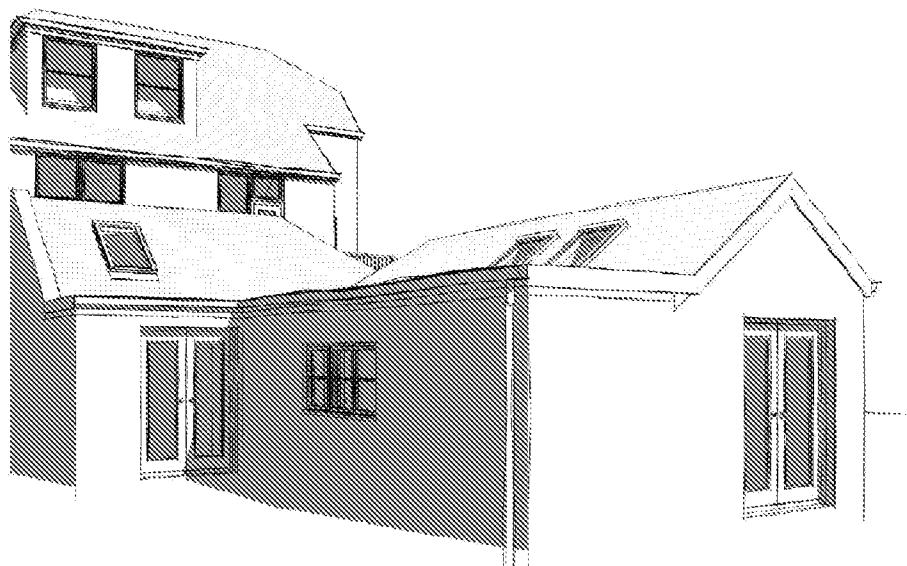


Figure 17 Artists Impression of Proposed Dwelling

5.0 Planning Policy

5.1 The relevant planning policy documents in respect of this application are the National Planning Policy Framework, revised December, 2023 (NPPF) and the Arun Local Plan 2011-2031 (July 2018). Additionally, there are several adopted Supplementary Planning Documents which are relevant to the proposed development.

National Planning Policy Framework

Relevant Parts of the NPPF

5.2 Paragraph 7 of the Framework states that "...*The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs...*"

Environment

5.3 The NPPF states (at para.8) that "...*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways...*" The economic objective is described as helping to "...*build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure*"; The social objective requires planning to support "...*strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being...*" The environmental objective relates to the protection and enhancement of "...*our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*"

Housing

5.4 At paragraph 60 the Government comments that “*To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community*”. Paragraph 63 goes on to say “*Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes...*”

5.5 With regards to the delivery of housing paragraph 70 states “*Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly...*”

Highways

5.6 With particular regard to transportation and highways matters paragraph 115 of the revised NPPF states “*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*”.

Making an Effective Use of Land

5.7 Section 11 of the NPPF relates to “*Making effective use of land*”. The Government advocates that “*...decisions should promote an effective use of land in meeting the need for ... healthy living conditions...*” (para. 123). In particular at para.124 the Government advises that:

“*Planning policies and decisions should:*

- a) *encourage multiple benefits from both urban and rural land, including through mixed use schemes...*
- c) *give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) *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...*”

Design

5.8 Section 12 of the NPPF relates to “*Achieving well-designed places.*” Paragraph 131. states “*The creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...*” Paragraph 135 sets out 6 design criteria. It states that “*Planning policies and decisions should ensure that developments:*

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and*

effective landscaping;

- 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);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *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 users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

5.9 Paragraph 139 goes on to state “*Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design ...”*

Ecology

5.10 Section 15 of the NPPF relates to “*Conserving and enhancing the natural environment*”. Paragraph 180 notes “*Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...*” In relation to “*Habitats and biodiversity*” paragraph 186 advises “*... When determining planning applications, local planning authorities should apply the following principles:*

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;...*
- 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...”*

5.11 Paragraph 001 Reference ID: 74-001-20240214 of the Government’s online Planning Practice Guidance states:

“Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact (‘net gain’) on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as ‘biodiversity net gain’ in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The biodiversity gain condition is a pre-commencement condition: once planning permission has

been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development. There are exemptions and transitional arrangements which disapply the condition from certain planning permissions, as well as special modifications for planning permissions for phased development and the treatment of irreplaceable habitats.

The statutory framework for biodiversity net gain also includes provisions about information requirements for planning applications and the treatment of the condition on decision notices on the grant of planning permission....”

Heritage & Conservation

5.12 Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’. When considering proposals that affect a heritage asset the NPPF states at para. 200 “*In determining applications, local planning authorities should require an 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. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...*” When making decisions paragraph 203 advises LPAs “...should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness...”

5.13 At paragraph 209 the NPPF advises “*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset..*”

Arun Local Plan 2011-2031 (July 2018)

5.14 The following Local Plan policies are considered to be relevant to the determination of the submitted planning application.

SD SP2 Built-up Area Boundary

“Built Up Area Boundaries are defined for the main towns and villages in the District and shown on the Policies Maps. Development should be focused within the Built Up Area Boundaries and will be permitted, subject to consideration against other policies of this Local Plan.”

RET SP1 Hierarchy of Town Centres

“The hierarchy of centres in Arun will be maintained by supporting and promoting measures which reinforce their role in meeting community needs and providing a focus for a range of activities including: retail, leisure, commercial, office, tourism, cultural, community and residential development. This range of activities will promote economic resilience for the vitality of our centres....”

“... suburban centres, including shopping parades and stand alone shops form an important resource for businesses, visitors and residents. The expansion and additional provision of such facilities to a scale appropriate to the existing settlement or the planned expansion of

that settlement will be welcomed by the Council provided that it adds to the range and accessibility of goods and services."

H SP1 The Housing Requirement

"Within the plan period 2011 – 2031 at least 20,000 new homes will be accommodated in the District."

D SP1 Design

"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..."

D DM1 Aspects of form and design quality

This policy requires that the Council have regard to certain aspects including character, appearance/attractiveness, density, and scale.

D DM2 Internal space standards

"The planning authority will require internal spaces to be an appropriate size (having regard to the exceptions that may apply as referred to in paragraph 13.3.4) to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance."

HER SP1 The historic environment

"The Local Planning Authority will grant planning permission or relevant consent for development proposals that conserve or enhance the historic environment of the District, based on the following approach:

... Non-designated heritage assets including locally listed heritage assets (Buildings or Structures of Character and Areas of Character) and their settings will also need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment;

Development likely to prejudice any of the above, including their settings, will be refused. Any proposals for development will be required to comply with all other relevant policies and reflect any relevant appraisals or management proposals adopted by the Local Planning Authority..."

HER DM2 Locally Listed Buildings or Structures of Character

"... Proposals for the alteration or extension of buildings on the Local List will be expected to relate sensitively to the building or structure and its setting and respect its architectural, landscape or historic interest. The Local Planning Authority will seek to preserve features of such buildings which contribute to that interest."

T SP1 Transport and Development

"To ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network."

ECC SP2 Energy and climate change mitigation

"All new residential and commercial development (including conversions, extensions and

changes of use) will be expected to be energy efficient..."

ENV DM5 Development and Biodiversity

"Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however 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). Development schemes shall also be appropriately designed to facilitate the emergence of new habitats through the creation of links between habitat areas and open spaces. Together, these provide a network of green spaces which serve to reconnect isolated sites and facilitate species movement.

Where there is evidence of a protected species on a proposed development site, planning applications shall include a detailed survey of the subject species, with details of measures to be incorporated into the development scheme to avoid loss of the species. This involves consideration of any impacts that will affect the species directly or indirectly, whether within the application site or in an area outside of the site, which may be indirectly affected by the proposals. All surveys shall be carried out at an appropriate time of year and shall be undertaken by a qualified and, where appropriate, suitably licensed person.

All developments shall have regard to Natural England's standing advice for protected species."

W SP1 Water

"Arun District Council will encourage water efficiency measures in order to protect the District's water resources and enhance the quality of the water environment which supports a range of habitats and ecosystems. Development will be encouraged to make active use of surface water as a design feature and permitted where it identifies measures to improve and enhance waterbodies, coastal habitats or provides additional flood relief. The Council will also support development that:

- a. is appropriately located, taking account of flood risk and promotes the incorporation of appropriate mitigation measures into new development, particularly Sustainable Drainage Systems that reduces the creation and flow of surface water and improves water quality;..."*

W DM2 Flood Risk

"Development in areas at risk from flooding, identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA), will only be permitted where all of the following criteria have been satisfied..."

W DM3 Sustainable Urban Drainage Systems

"To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process.

Proposals for both major and minor development proposals must incorporate SUDS within the private areas of the development in order to provide source control features to the overall SUDS design. These features include:

- Green roofs*
- Permeable driveways and parking*
- Soakaways*

- Water harvesting and storage features including water butts..."

QE SP1 Quality of the Environment

"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..."

Bognor Regis 2015–2030 Neighbourhood Development Plan, August 2015 (including post exam modifications)

5.15 The Bognor Regis 2015–2030 Neighbourhood Development Plan, August 2015, was 'made' by the District council on 11th November 2021. As such many of the policies within the Plan pre-date the current Arun Local Plan 2011-2031 (July 2018) as well as the NPPF, 2023.

5.16 Having reviewed the planning policies within the Town Plan it is considered that Policy 1 "Delivery of the Vision" is relevant. This policy states:

"Development Proposals concerned with extensions and alterations of Designated and Non-designated Heritage Assets and Major Developments should demonstrate how proposed changes will support the delivery of relevant Neighbourhood Development Plan Objectives and our Vision for Bognor Regis. Proposals must identify the significance of any affected heritage asset and assess any harm and benefit. These should be included within the design and access statement if one is required."

Supplementary Planning Documents

Parking Standards Supplementary Planning Document, January 2020

5.17 At paragraph 1.7 it is explained that:

"This SPD is intended to outline Arun District Council's approach to parking at new developments (residential/commercial). It should be used to help determine the level of parking at new developments and provide the basis for the County Council's advice to local planning authorities on planning applications. planning applications."

5.18 It is stated at paragraph 2.12 of "Principle 1" that "Parking provision should be sufficient to accommodate demand whilst exploiting the potential for sustainable travel, minimizing adverse effects on road safety and avoiding increased on-street parking demand." Paragraph 2.17 explains "Principle 4" of the SPD. This states "In some locations, limiting parking provision will form part of a strategy to exploit the potential for sustainable transport..." It continues "In order to realistically promote lower levels of car ownership and use whilst avoiding unacceptable consequences, all of the following must be available or provided: Travel plan measures, targeted at reducing car use and thereby reduce ownership levels; High levels of accessibility to non-car modes of travel and to local amenities and facilities; and Comprehensive parking controls; i.e. Controlled Parking Zone."

5.19 Table 3.1 of the SPD sets out the level of expected vehicle parking provision for new residential development. This subdivides the District into Parking Behaviour Zones and is based on data provided by West Sussex County Council. The application site falls within Zone 4 where, typically, 1 parking spaces should be provided for a 2-bedroom dwelling with 4 habitable rooms.

Arun District Design Guide, Supplementary Planning Document (SPD), January 2021

5.20 This document provides guidance in relation to all forms of residential and commercial development. Part N of the SPD relates to "Building Conversions".

Building Conversions

5.21 Paragraph N.01 states that the aim of the SPD is to "Ensure the re-use and adaptation of existing vacant buildings to secure their ongoing contribution to settlements." Is it advised furthermore that

"The original and/or existing land use of buildings often makes a valuable social or economic contribution to their context, particularly in countryside areas, and should be retained wherever possible. At the same time, it is also important to ensure that under-utilised, redundant or derelict buildings throughout the District do not remain vacant but are able to enjoy a new lease of life through sensitive conversion and adaptation." It is advised that *"Conversions must protect the original character and appearance of buildings through careful use of considerate materials, preservation of distinctive features, sensitive placement of additional floors, and minimal internal and external alterations and extensions..."* Additionally, the guidance states *"New uses must be appropriate for the building and location in which they are to be accommodated, and should always make a positive contribution to the surrounding area..."*

Buildings & Structures of Character, Adopted September 2005, Supplementary Planning Document

5.22 Paragraph 2.0 of the SPD states *"Throughout the District there are buildings and structures which, while not Listed Buildings, are of good quality design and appearance; that are important features in their own right; and which may also contribute to the character and appearance of the area. They illustrate, and are reminders of, the historical development of an area and are worthy of recognition and retention wherever possible."*

5.23 The application building has been included on the Council's Local List as it is considered to meet parts 2 – 5 of the SPDs selection criteria. These are as follows:

- 2) *Buildings which are extremely good examples of traditional or established style, or unusual type.*
- 3) *In special cases, buildings or structures which contribute towards the local townscape or have important historical associations.*
- 4) *All buildings must be largely intact and not adversely affected by later extensions or alterations.*
- 5) *Preferably, although not exclusively, they should make a positive contribution to their surroundings or the street scene."*

6.0 Planning Considerations

6.1 This application seeks a grant of full planning permission for the use and conversion of the rear, single storey part, of 47 Aldwick Road, Bognor Regis to form a two-bedroom dwelling. The parts of the existing building that would be utilised to provide this dwelling currently comprise a disused, long-time vacant former printers' workshop and the rear part of a Class E commercial unit. The proposed dwelling would be facilitated by a rationalisation of the single storey extensions existing fenestration and external finishes together with the replacement of part of the buildings roof. Future residents would be provided with a dwelling that is compliant, in terms of its floor area, with the Nationally Described Space Standards, as well as a high quality external amenity space which would accommodate secure bicycle and refuse storage facilities. Residents would also benefit from an accessible and sustainable location within the West End suburban area which is close to walk to Marine Park Gardens Bognor Regis Promenade and the beach.

6.2 This section of this statement will now consider the following issues:

- Principle of Development;
- Pattern & Character of Development in the Area

- Heritage & Conservation;
- Design;
- Flood Risk;
- Vehicle Parking, and;
- Ecology & Biodiversity Net Gain Statement

Principle of Development

6.3 The application site falls within the Built-Up Area Boundary for Bognor Regis where there is a presumption in favour of sustainable development. The site is within the West End with adjoining and adjacent land and buildings to the east and west comprising a mix of commercial and residential development. Existing development to the south consists mainly of residential apartment buildings. The site also falls within an area shown to be at a low risk of flooding (i.e. Flood Zone 1 – see Flood Risk Assessment by Bright Plan Civils). The site is previously developed land or ‘brownfield’ land with the government advising at paragraph 124 of the NPPF that LPAs policies should “*...encourage multiple benefits from both urban and rural land, including through mixed use schemes... give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs...*” Given the foregoing it is clear that the principle of the proposed development is compliant with Local Plan policies SD SP2 (Built-Up Area Boundary), H SP1 (The Housing Requirement) and RET SP1 (Hierarchy of Towns) as well as part 5 of the NPPF relating to “Delivering a sufficient supply of homes”.

Pattern & Character of Development in the Area

6.4 The prevailing pattern of existing development in the immediate area is characterized by mixed use commercial/residential development. Having reviewed the LPAs planning history files it is apparent that planning permission has been granted over the past 25 years, either by the LPA or at appeal, for the provision of new dwellings on land to the rear of several of the properties between 49 and 59 Aldwick Road. Therefore, the character of the prevailing pattern of development to the rear of many properties which front Aldwick Road, between its junctions with Park Road and Charlwood Street, is one that accommodates dwellings to the rear of the principal frontage building. The grants of planning permission include:

BR/329/01/ Hilary Hotel (now Hilary House), Park Road, Bognor Regis

13 No.bedsit / single bed flats – 9 within the former hotel building and 4 within a two storey building constructed to the rear of 49-51 Aldwick Road.

Planning permission granted 2nd February 2002

BR/76/00/ 53 Aldwick Road, Bognor Regis, PO21 2NJ

Conversion of existing storage building to form one dwelling Refused by LPA;
 Allowed on appeal APP/C3810/A/00/1049536

Appeal allowed 6th December 2000

BR/26/01/ Rear of 57 Aldwick Road Bognor Regis

Proposed amendment to detached dwelling unit for two bedroom bungalow (original Planning Approval BR/179/99).

Planning permission granted 12th March 2001.

6.5 The application proposal would, therefore, be consistent with the prevailing pattern of character of development within the area which comprises mixed use town centre/residential property along the southern side of Aldwick Road. Policy DSP1 (Design) of the Local Plan requires all developments to make the most “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..." The proposed development is also considered to be compliant with the guidance of the NPPF and particularly the design criteria advocated at paragraph 135.

Heritage & Conservation

6.6 The application site is located on the south side of Aldwick Road within a row of mixed town centre commercial and residential development. As can be seen from the photos at Figs. 2 & 14 the application building is constructed with a 'Mock Tudor' exposed timber façade, at first and second floor level, as are the adjacent properties at 49 and 51 Aldwick Road, to the west. Other buildings within the same row are constructed with steep gabled roofs but vary in their style of architectural finish. Both 43 & 45 Aldwick Road are constructed with red brick elevations which accommodate projecting flat roofed bay windows at first floor level. Beyond 51 Aldwick Road are other three storey mixed use buildings constructed with white painted elevations along with Dutch gabled front elevations. These buildings also accommodate projecting first floor bay windows.

6.7 Like the application building, several of the properties to the west are also non-designated heritage assets which are included on the Council's local list. None of these locally listed, non-designated heritage assets fall within the designated Aldwick Road Conservation Area which is to the east of Park Lane.

6.8 The application property has been included on the Council's 'Local List' of non-designated heritage assets as set out in "Buildings & Structures of Character, Adopted September 2005" Supplementary Planning Document. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions because of their heritage interest but do not meet the criteria for designated heritage assets. With regards to non-designated heritage assets paragraph 209 of the NPPF states *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

6.9 It has not been possible to find a specific reference on the Council's website as to why the application has been included on its 'Local List'. Mapping evidence (please refer to Figs 18-20) suggests that the application property was constructed sometime 1896 and 1910. The style and appearance of the building reflects the architecture of the Arts & Crafts movement which was popular at the time. The Council's SPD "Buildings & Structures of Character, Adopted September 2005" states that the application building has been included on the Council's Local List as it is considered to meet parts 2 – 5 of the SPDs selection criteria. These are as follows:

- 2) *Buildings which are extremely good examples of traditional or established style, or unusual type.*
- 3) *In special cases, buildings or structures which contribute towards the local townscape or have important historical associations.*
- 4) *All buildings must be largely intact and not adversely affected by later extensions or alterations.*
- 5) *Preferably, although not exclusively, they should make a positive contribution to their surroundings or the street scene."*

6.10 It is considered that, like a few of the adjacent buildings on Aldwick Road, the application building is a 'good example' of a traditional style. The building is relatively visually prominent from the crossroads of Park Road, Victoria Drive and Aldwick Street and so contributes positively to the local townscape. The building is largely intact and makes a positive contribution to the Aldwick road

street scene.

6.11 The proposed development would only affect the rear single storey element of the application property. The proposed external changes, which are largely 'cosmetic' including the replacement of one roof, would not be visible from either Aldwick road or the Aldwick Road Conservation Area (the western boundary of which is on the east side of Park Road). Additionally, only glimpses of the site are possible from the public realm on Stocker Road to the south.

6.12 Having considered the advice of NPPF paragraph 209 it is our view that no harm would occur to this non-designated heritage asset as the proposed changes do not conflict with criteria 2 to 5 of the Council's Buildings & Structures of Character, Adopted September 2005, SPD. Any harm that might be perceived to occur by the LPA is considered to be outweighed by the benefits of bringing a mainly empty building back into use and providing a high quality dwelling within a highly sustainable location.

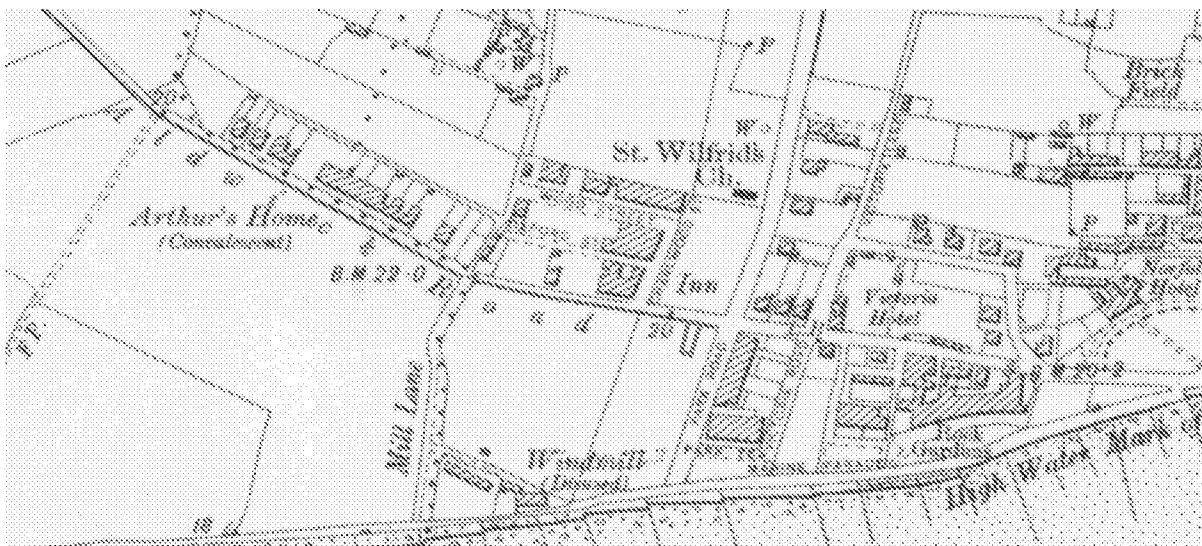


Figure 18 Application Site within Extract of Sussex LXXIV – OS – Six Inch Map – 1896

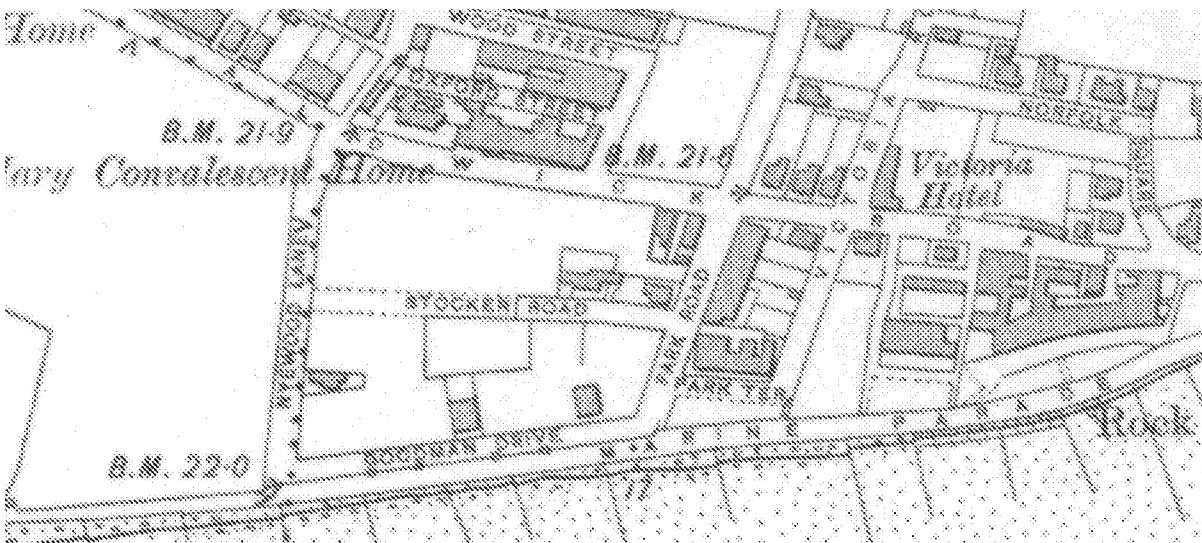


Figure 19 Application Site within Extract of Sussex LXXIV.NW SW – OS – Six Inch Map - 1910



Figure 20 Application Site within Extract of Sussex LXXIV.5 – Six Inch Map - 1932

6.13 It is considered, therefore, that the application proposal would not have a harmful impact upon the non-designated heritage asset and would be compliant with NPPF paragraph 209 as well as Local Plan policies HER SP1 and HER DM2 as well as the Bognor Regis 2015—2030 Neighbourhood Development Plan policy 1.

Design

6.14 With regards to design it is considered that the minimal changes proposed by this application would result in the provision of a dwelling that would reflect the appearance, scale and character of the existing non-designated heritage asset. It is considered that the proposed dwelling would provide its future occupiers with a high-quality living environment comprising a generous amount of internal floorspace together with a useable south facing external private amenity area.

6.15 The applicant has considered the design, context, siting and layout of development in relation to the NPPF, the Arun Local Plan 2011-2031 (July 2018) and the LPAs Supplementary Planning Documents the “Arun District Design Guide, Supplementary Planning Document (SPD), January 2021” and “Parking Standards Supplementary Planning Document, January 2020.”

6.16 Policy DSP1 (Design) of the Local Plan requires all developments to make the most “*efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details...*” Policy DDM1 (Aspects of form and design quality) states that the LPA should have regard to certain aspects including character, appearance/attractiveness, density, and scale. Policy DDM2 (Internal space standards) requires residential developments to be built with internal spaces which would be “*an appropriate size ... to meet the requirements of all occupants and their changing needs*” and which should be compliant with Nationally Described Space Standards.

6.17 The Councils Design SPD provides clear guidance on “Building Conversions”. Paragraph N.01 states that the aim of the SPD is to “*Ensure the re-use and adaptation of existing vacant buildings to secure their ongoing contribution to settlements.*” Is it advised furthermore that “*The original and/or existing land use of buildings often makes a valuable social or economic contribution to their ... and should be retained wherever possible. At the same time, it is also important to ensure that under-utilised, redundant or derelict buildings throughout the District do not remain vacant but are able to enjoy a new lease of life through sensitive conversion and adaptation.*” It is advised that “*Conversions must protect the original character and appearance of buildings through careful use of considerate materials, preservation of distinctive features, sensitive placement of additional floors, and minimal*

internal and external alterations and extensions..." Additionally, the guidance states "*New uses must be appropriate for the building and location in which they are to be accommodated, and should always make a positive contribution to the surrounding area...*"

6.18 It is apparent that the scheme submitted as a pre-application enquiry, which proposed two, 2-storey, 2 bedroom townhouses, would have been constructed with a single aspect design with all windows facing east. The case officer considered that the single aspect nature of the design would not provide adequate light to the habitable rooms within the two dwellings. By contrast, the application proposal would involve the conversion of the existing single storey element of the building. This would benefit from windows within the buildings west, east and south elevations as well as numerous rooflights. Future occupiers of the proposed dwelling would, therefore, benefit from a very light and airy interior.

6.19 When considered in relation to Local Plan policy it is apparent that the proposed scheme would make an efficient use of the land and would be of a scale and density which reflects the characteristics of the area. Additionally, the dwelling would be provided with a floor area that would be compliant with the Nationally Described Space Standards. As such, the proposed development would be compliant with policies DSP1, DDM1, DDM2 and QE SP1 of the Local Plan.

6.20 With regards to external space para. H.04 (Residential Outdoor Amenity & External Space Standards) of the Council's SPD states "*Amenity spaces should be of an appropriate size and shape to be usable and enjoyable. Private rear gardens should have a minimum depth of 10.5 metres, and balconies a minimum of 3sqm of usable space clear from door swings and be able to accommodate a table, chairs and space for planting..."* However, the guidance goes on to note that "... *Other innovative design solutions to smaller private rear gardens may also be acceptable in specific circumstances (especially when communal gardens are provided), when justified....*" Page 58 also states "*In some circumstances, innovative solutions to compact housing layouts, which enrich housing mix, make more efficient use of land, ensure that appropriate levels of privacy and natural light are maintained and are integrated with the surroundings may also be acceptable, when sufficiently justified..."*

6.21 It is recognised that the proposed dwelling would not have a garden which would be 10.5m in length. However, the Council's Design SPD does allow for innovative solutions to provide small garden spaces. Given that the site is surrounded by mixed use buildings, including dwellings which have no private external amenity space, it is considered that the quantity of amenity space provided would be acceptable.

6.22 As such, it is considered that the proposed development would be of a high-quality, innovative design that would be compliant with Local Plan policies DSP1 (Design), DDM1 (Aspects of form and design quality) and DDM2 (Internal space standards). Additionally, the proposed conversion of the existing building would be constructed to ensure compliance with current energy and water efficiency and would therefore be compliant with Local Plan policy ECC SP2 (Energy and climate change mitigation).

Flood Risk

6.23 This application is accompanied by a Flood Risk Assessment (FRA) undertaken by engineering consultants Bright Plan Civils. The FRA considers all available data and concludes that being sited in Flood Zone 1 it is assessed as being at 'Very Low' or 'Low' risk of flooding from all sources. The report concludes that "...the site is safe for use for its design life."

"9.1.1 The proposed development will involve a change of use and conversion of the existing commercial office space at ground floor level to the rear of the building to provide a single dwelling.

9.1.2 A topographic survey has been undertaken at the site by Medlam Surveys Limited, dated December 2018, and is contained within Appendix B. The topographical survey

demonstrates external levels in the range of 5.882m AOD and 6.101m AOD.

- 9.1.3 *The site as existing is 100% impermeable (340m2).*
- 9.1.4 *As existing, the site drains to a combined drain in the eastern alleyway, which drains to the public sewer network in Aldwick Road, to the north of the site.*
- 9.1.5 *The site is located within Flood Zone 1, and has been assessed as being at 'Very Low' or 'Low' risk of flooding from all sources.*
- 9.1.6 *Following implementation of the change of use, the site will continue to drain as existing.*
- 9.1.7 *Implementation of the proposed change of use will not increase flood risk on or off the site, and appropriate flood mitigation has been proposed to ensure the site is safe for use for its design life."*

6.24 As such, it is considered that the proposed development would be compliant with Local Plan policy W DM2.

Vehicle Parking

6.25 In September 2020 West Sussex County Council published the document "*West Sussex County Council: Guidance on Parking at New Developments*". This document provides parking standards for both residential and non-residential uses. The guidance opines that parking demand for residential development should be calculated on the basis of an area based assessment and divides the County into 5 Parking Behaviour Zones (PBZ). The application site falls within PBZ4. For a 2-bedroom dwelling, within this part of Bognor Regis, the development should provide 1.1 parking spaces per 2-bedroom dwelling.

6.26 In the case of the application proposal it is considered that the previous use of the rear part of the ground floor as a printers workshop has been abandoned. However, if the vacant floorspace was reoccupied as a printer's workshop (55sq.m.) along with the element of Class E use (25sq.m.) floorspace it would generate some traffic movements. Being a former commercial use not falling within a class described by the Use Classes Order it is likely that a printer's workshop would be a *sui generis* use (in a class of its own). This being the case it is reasonable to consider that the vacant floorspace would, if reoccupied, generate a demand for vehicle parking. West Sussex County Council's guidance on vehicle parking does not have a category for *sui generis* uses so, for comparative purposes, it is considered appropriate to apply the standard for Class B2 (general industrial) use. The WSCC guidance states that: a B2 use would generate a demand for 1 vehicle parking space every 40sq.m.; a Class E shop would require 1 space for every 14 sq.m., and; a Class E office would require 1 space for every 30 sq.m. As such, it is apparent that the re-occupancy of the floorspace the subject of this application for commercial purposes would place a greater demand on vehicle parking (i.e. 2 or 3 vehicle parking spaces) in the area than would the proposed residential use (1.1 vehicle parking spaces).

6.27 In addition to the West Sussex County Council guidance on vehicle parking is the Arun District Council "*Parking Standards Supplementary Planning Document, January 2020*". This guidance builds on the County Council's guidance and provides 6 'Guiding Principles'. Principle 1 explains "*Parking provision should be sufficient to accommodate demand whilst exploiting the potential for sustainable travel, minimizing adverse effects on road safety and avoiding increased on-street parking demand.*" "Principle 4" of the SPD states "*In some locations, limiting parking provision will form part of a strategy to exploit the potential for sustainable transport..."* This continues "*In order to realistically promote lower levels of car ownership and use whilst avoiding unacceptable consequences, all of the following must be available or provided: Travel plan measures, targeted at reducing car use and thereby reduce ownership levels; High levels of accessibility to non-car modes of travel and to local amenities and facilities; and Comprehensive parking controls; i.e. Controlled Parking Zone."*

6.28 Table 3.1 of the SPD sets out the level of expected vehicle parking provision for new residential development. This subdivides the District into Parking Behaviour Zones and is based on data provided by West Sussex County Council. The application site falls within Zone 4 where, typically, 1 parking spaces should be provided for a 2-bedroom dwelling with 4 habitable rooms.

6.29 It is considered that the site is located within a very sustainable location. The application site is well served by public transport. Some 100m to the west of the site, on Aldwick Road, is a bus stop that is served by the 600 (Bognor – Chichester), 61 & 62 (North/South Bersted – Bognor - Aldwick Road – West Meads) bus routes. There is a bus stop immediately opposite the site for the return services. These services would offer future residents with easy, convenient and regular access to both Bognor Regis and Chichester with the 61/62 service also stopping at the Bognor Regis railway station which would enable access to the major cities across the south coast as well as London (via Barnham). The site is within a West End suburban area that has a wide mix of independent shops and services including, cafes, hairdressers, estate agents, a bike shop and a Tesco Express supermarket. The site is also within a convenient walking distance of high quality public amenity areas such as Marine Park Gardens, the Bognor Regis Promenade and its beaches. Should future residents or their visitors use a car, unrestricted on street parking is available within 200 metres in several roads including Victoria, Drive, Victoria Road, Wood Street, Ellasdale Road. Hour long vehicle parking is available on Aldwick Road for visitors. It is noted that in their pre-application response (LPA Ref: PAA/100/19/) officers stated *"These site specific factors, combined with the Government's favour towards reducing the need for private vehicular trips, would result in a nil parking provision being considered acceptable..."*

6.30 Given, that the proposed development would generate the need for less vehicle parking than the former/existing uses it is considered that a nil on site provision is acceptable. Officers considered this to be the case when considering the pre-application enquiry for two, 2-bedroom houses on the site. As such, it is considered that the proposed development is compliant with Local plan policy T SP1 Transport and Development.

Ecology & Biodiversity Net Gain Statement

6.31 Accompanying this application is an Ecological Impact Assessment by consultants South Downs Ecology. This reports that a Preliminary Ecological Appraisal and Bat Roost Assessment was carried out at the property on the 31st of July 2024. In summary the EIA notes on page 3:

"...The proposals are not anticipated to have any significant impact upon ecology; the building is unlikely to support bats and proposals stand a 'negligible' chance of disturbing bats or their roosts or foraging and commuting habitats providing some basic lighting control measures are undertaken. No further surveys are currently recommended at the site for these proposals. No significant effects are anticipated upon the Pagham Harbour, South Downs Bat SACs, Bognor Reef SSSI or any other designated site, provided basic avoidance measures are built into the proposals."

"When mitigation and enhancements have been taken into account, the proposals are not considered to have a negative impact upon habitats or protected species in accordance with planning policy and once enhancements are considered, would result in a minor net gain. The proposals would therefore accord with the relevant local and national planning policies and the relevant legislation."

6.32 The Council's validation requirements state that the provision of a "Small Sites Biodiversity Net Gain Metric Tool" is a national requirement for "All non major applications (that are not exempt)." This application is considered to be exempt given that the development does not directly impact on any Priority Habitat (the site does not fall within the boundaries of a designated habitat) and, additionally, the conversion of the existing building and surrounding concrete hard surfaced land would be classified as a developed land (i.e. a sealed surface which has a biodiversity value of zero).

6.33 The Government's online Planning Practice Guidance (PPG) explains:

"Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity."

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development. There are exemptions and transitional arrangements which disapply the condition from certain planning permissions, as well as special modifications for planning permissions for phased development and the treatment of irreplaceable habitats.

The statutory framework for biodiversity net gain also includes provisions about information requirements for planning applications and the treatment of the condition on decision notices on the grant of planning permission."

6.34 The PPG explains "What development does the *de minimis* exemption apply to? And how should it be assessed?" This section of the PPG states:

*"The *de minimis* exemption only applies to development if the following two conditions are met:*

- *the development must not impact on any onsite priority habitat; and*
- *if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow)*

Onsite habitat is impacted by the development if it is lost or degraded such that there is a decrease in the biodiversity value of that habitat (as determined by the statutory biodiversity metric). A decrease in biodiversity value occurs where there is a change in habitat type, extent, or condition which results in a negative unit score. A priority habitat is a habitat listed by the Secretary of State for Environment, Food and Rural Affairs under section 41 of the Natural Environment and Rural Communities Act 2006.

The exemption is designed to cover planning permissions for:

- *Development which only impacts on onsite habitat with a biodiversity value of zero so no gain would be required if there was no exemption;*
- *Developments where there is only a *de minimis* impact on other onsite habitat to ensure biodiversity net gain is applied proportionally;*
- *Minor development in established areas of habitat where the development would have less than 25 square metres (or less than 5 metres for linear habitat) impact on this habitat (unless priority habitat); and*
- *Change of uses to development where there is no or only a *de minimis* impact on onsite*

habitat."

Development below a de minimis threshold

6.35 This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m x 5m) of non-priority onsite habitat (such as modified grassland) or 5m for non-priority onsite linear habitats (such as native hedgerows). This exemption is designed to ensure that BNG does not apply to either very small scale development or development which does not impact habitat, through loss or degradation within the red line boundary. In practice, this will be demonstrated by a decrease in the biodiversity value, which is determined by the biodiversity metric.

6.36 If a development impacts less than 25 square meters of non-priority habitat but 5m or more of non-priority linear habitat is negatively impacted, or vice-versa, then the exemption will not apply and all habitats will be subject to BNG.

6.37 If any priority habitat falls within the red line boundary (of the application site) the development is impacted, the exemption will not apply and all habitats will be subject to BNG.

6.38 Existing sealed surfaces such as tarmac or buildings are assigned a zero score in the statutory biodiversity metric, meaning that these surfaces are effectively exempted from the 10% net gain requirement.

6.39 This exemption ensures that BNG is applied proportionately and that a development does not incur unnecessary extra cost to, for example, comply with accessibility requirements as in the example above. It also encourages developers to design in ways to avoid impacting the habitat on site in the first place, following the biodiversity gain hierarchy.

6.40 The PPG advises that *"when providing reasons for the de minimis exemption, an applicant should provide sufficient evidence to support their justification. In cases where the development would be smaller than 25 square metres, the description of development, existing and proposed site plans, and the development's area size (in square metres) may be sufficient evidence."*

6.41 The PPG goes on to provide three scenarios where the de minimis exemption would apply. These are as follows.

“Scenario 1: A development solely on a sealed surface

- *The development is a new commercial building on an existing car park. There are no other habitats (e.g. a green verge or tree) within the red line boundary of the development. The development would be exempted from biodiversity net gain by the de minimis exemption as:*
- *the development does not impact on any onsite priority habitat;*
- *the car park would be classified as developed land: sealed surface which has a biodiversity value of zero under the statutory biodiversity metric; and*
- *there are no other onsite habitats.*

Scenario 2: A development which only marginally impacts on a garden habitat

The development is a new residential dwelling largely on the footprint of an existing dwelling which will be demolished but there would be a small loss of a grass lawn (of 20 square metres) in the garden. The red line boundary for the development includes two large trees at the end of the garden which are not affected by the development. The development would be exempted from biodiversity net gain by the de minimis exemption as:

- *the development does not impact on any onsite priority habitat;*
- *the existing dwelling would be classified as a developed land: sealed surface which has a biodiversity value of zero under the statutory biodiversity metric;*

- the grass lawn would be classified as vegetated garden and would have a biodiversity value of greater than zero under the statutory biodiversity metric but the size of this habitat lost is less than 25 square metres; and
- the trees within the red line boundary would be classified as individual urban trees and would have a biodiversity value of greater than zero under the statutory biodiversity metric but are not impacted by the development.

Scenario 3: A very small development within an established wood

The development is a new telecommunications mast (taking up 5 square metres of land) within mixed woodland. The development would be exempted from biodiversity net gain by the de minimis exemption as:

- the development does not impact on any onsite priority habitat;
- the woodland would be classified as other woodland: mixed and would have a biodiversity value of greater than zero under the statutory biodiversity metric, but the size of the habitat impacted is less than 25 square metres.

Paragraph: 004 Reference ID: 74-004-20240214"

6.42 The existing site comprises land that either accommodates a building or a mainly concrete hard surface. The applicant has reviewed government guidance on BNG and is of the view that the proposed development would be a de minimis proposal which would be exempt from having to provide a BNG of +10%. This is due to the fact that the proposed development is for the change of use of the existing building not involving the construction of extensions to the footprint of the building. Additionally, the site is almost wholly either built on or covered by a concrete hard surface. As is explained by the PPG "Scenario 2" - i.e. the development does not directly impact on any Priority Habitat (the site does not fall within the boundaries of a designated habitat); the conversion of the existing building and surrounding concrete hard surfaced land would be classified as a developed land: sealed surface which has a biodiversity value of zero.

6.43 This view concurs with comments made in the Ecological Impact Assessment by consultants South Downs Ecology. It will be noted that they confirm, at paragraph 3.10 "*In England, mandatory Biodiversity Net Gain (BNG) came into force from 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). All developments must deliver a BNG of at least 10% unless otherwise exempt such as those affecting less than 25sqm of land (the 'de minimis' exemption) which this site accords with. As such BNG is not required for this site.*"

6.44 Local Plan policy ENV DM5 (Development and biodiversity) states that "*Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however 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 applicant would be happy to accept the imposition of a planning condition requiring ecological enhancements such as the provision of small shrubs, native plants, climbing plants (to encourage nesting opportunities), bat roost features, insect and bird boxes as recommended at paragraph 7.1 of the EIA.

6.45 The applicant is of the view, therefore, that the proposed development is compliant with both Local Plan policy ENV DM5 and National Planning Policy guidance in relation to Biodiversity Net Gain.

7.0 Conclusions

7.1 Planning permission is sought for the conversion of the rear single storey part of 47 Aldwick

Road to form a two-bedroom dwelling. The dwelling would be served by a 5.9m to 12.7m deep amenity space, with pedestrian and cycle access around the side of the existing building.

7.2 The application proposal has carefully considered the LPAs response to pre-application enquiry PAA/100/19/. As such, the proposed development would result in the conversion of a long term vacant single storey extension, to the rear of the site, rather than the construction of a pair of 'single aspect', 2-bedroom townhouses. Officers found the pre-application proposal unacceptable for a single reason relating to the single aspect nature of the development with the two dwelling only having windows within their east elevation.

7.3 In summary, the application site is within the Built-Up Area of Bognor Regis where there is a presumption in favour of sustainable development – especially where the development would result in the development of a brownfield site. The application site is within a part of Aldwick Road which has a mix of commercial-residential uses including dwellings to the rear of the frontage buildings. The proposed layout of the development would, therefore, reflect the prevailing pattern and character of development in the area. The physical modifications proposed to the existing building would result in only minimal change to its exterior and so would have little, if any, effect upon the character and appearance of what is a non-designated heritage asset. The proposed conversion would result in the provision of a light and airy dwelling in contrast to the two single aspect townhouses proposed by pre-application enquiry proposal PAA/100/19/. The proposed development would, if granted planning permission, provide a single, two-bedroom dwelling in a very sustainable and accessible part of Bognor Regis where future residents would have convenient access to a wide range of shops and services and would not be reliant on the use of the private motor car. The application site is within Flood Zone 1 where future residents would be at a low risk of flooding. Furthermore, the proposed development would be exempt from having to provide a minimum of +10% Biodiversity Net Gain given that the site comprises almost wholly buildings and concrete hard surfacing.

7.4 It is concluded that, in terms of current planning policy, the proposed development would be an example of 'sustainable development' and would, as such, be compliant with both the NPPF and the policies of the Arun Local Plan.

7.5 The applicant respectfully requests that Officers and Councillors look favourably on this proposed development and grant planning permission.

APPENDIX I

Local Planning Authority's Written Response to Pre-Application Enquiry PAA/100/19/ on 28th November 2019