

Recommendation Report for Planning Permission

REF NO:	BR/252/21/PL
LOCATION:	65-71 Upper Bognor Road Bognor Regis PO21 1HR
PROPOSAL:	Alterations to four listed buildings, extension of a listed building to create an office and warden's accommodation, erection of new building consisting of 3 No. flats, offices and workshops; creation of new private gardens, separation of this part of the site from the wider University campus, creation of a shared landscaped courtyard, areas for parking, and storage for bins and cycles. This application affects the setting of listed buildings and affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area. It is in CIL Zone 4 (Zero Rated) as flats & other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes various internal/external alterations to buildings and a new building to enable the Aldingbourne Trust to take over the site. The following is a summary of the changes/new development: - No. 65 (Charlotte House): conversion to two semi-detached houses, 2 new timber sliding sash windows in the north elevation and new slate roof to external store. - Nos. 67 & 69: internal alterations only, staying as 2 dwellings. - Nos. 71/71A: conversion and extension to create offices and 2 x 1 bed flats at ground floor with a warden flat and a 2 bed flat above. Internal alterations, one/two storey extension, new sash windows, some windows blocked up. Louvres to some doors and windows to facilitate installation of heat pumps. - A new two storey building to face 67/69 Upper Bognor Road with offices/workshops on the ground floor and 3 x 1 bed flats above. - New estate metal railings, new timber fencing to separate gardens, bin & cycle stores, landscaping and parking. The Aldingbourne Trust support adults with learning disabilities and/or autism to lead enriched and fulfilling lives through education, training, specialist care and a focus on building strong partnerships with local businesses and employers.
SITE AREA	0.339ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	24 dwellings per hectare.

TOPOGRAPHY	Predominantly flat.
TREES	There are a number of trees on site which would be affected by the development and whilst none of those affected are subject of Tree Preservation Order (TPO), they are protected under the Upper Bognor Road and Mead Lane Conservation Area designation. There is a TPO which includes no. 65 (Charlotte House) in its area but no works are proposed to 65 that would affect nearby trees.
BOUNDARY TREATMENT	The southern boundary comprises walling of approximately 1.5m finished in flint. This rises to circa 2m to the south eastern boundary of the site. Western and eastern boundaries comprise a mixture of walling, tree planting and vegetation. The site is open to the northern boundary but this comprises part of the wider University campus.
SITE CHARACTERISTICS	The site comprises 3 Grade II listed buildings. Charlotte House (no. 65) is to the south west of the site and provides living accommodation for students. 69/67 Upper Bognor Road is to the south east of the site and was formerly occupied as student accommodation (2 x semi-detached cottages); although unoccupied since 2003. 71/71A is to the north east of the site and was formerly used as a medical centre use at ground floor with a flat above. The wider site is laid to lawn with an internal road serving the University campus.
CHARACTER OF LOCALITY	The site falls within the Upper Bognor Road and Mead Lane Conservation Area. To the north is the University campus. To the east is recently constructed University development. To the west is a belt of trees. Beyond these trees is the Grade I listed Dome building. To the south is the B2259 road, beyond which is the accommodation for the Butlins Resort.

RELEVANT SITE HISTORY

BR/253/21/L	Listed building consent for alterations to four listed buildings involving insertion of new windows, insertion of a new staircase, repairs and reinforcement of existing timber floors and roofs, removal of internal walls, forming openings in existing internal walls, erection of new internal partitions; extension of a listed building to create an office and warden's accommodation; erection of new building consisting of 3 No. flats, offices and workshops; creation of new private gardens, separation of this part of the site from the wider University campus, creation of a shared landscaped courtyard, creation of areas for parking and storage for bins and cycles.	
BR/352/19/L	Listed building consent for the erection of 2 No. live-work units; change of use of existing student accommodation including internal alterations to form 2 No. dwellings, 2	ApproveConditionally 31-03-20

No. new windows, new staircase & replacement of roof on outbuilding; reconfiguration of existing dwellings, replace existing timbers & roof joists on first floor; change of use from medical centre/offices to 2 No. flats & workshop. creation of new private gardens, separation of this part of the site from the wider University campus, creation of a shared landscaped courtyard, creation of areas for parking & storage for bins & cycles.

BR/351/19/PL	Erection of 2 No. live-work units; change of use of existing student accommodation including internal alterations to form 2 No. dwellings, 2 No. new windows, new staircase & replacement of roof on outbuilding; reconfiguration of existing dwellings, replace existing timbers & roof joists on first floor; change of use from medical centre/offices to 2 No. flats & workshop. creation of new private gardens, separation of this part of the site from the wider University campus, creation of a shared landscaped courtyard, creation of areas for parking & storage for bins & cycles. This application affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area.	ApproveConditionally 31-03-20
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Permission was granted in March 2020 for a similar proposal but with larger flats and less dwellings overall. This permission remains capable of implementation and is a material consideration in this determination. Pre-application advice concerning the current proposal was given in June 2021 and concluded that the scheme would be acceptable subject to certain changes. These have been addressed in this application.

REPRESENTATIONS

No objection.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT AGENCY (EA) - no objection and do not request any conditions.

NATURAL ENGLAND - do not make any comments.

WSCC HIGHWAYS - request conditions to secure car, cycle parking and electric vehicle charge points. Have a concern about refuse vehicles reversing in/out of the site and request this statement is removed from the submitted layout plan or a condition imposed requiring turning is demonstrated. No objection to parking provision which exceeds the requirements but that some of the parking provision may be inaccessible and the Council may want to consider the impact of parking displacement on local amenity.

ADC CONSERVATION OFFICER - comments set out in full on the website but in summary:

- the proposals are substantial in that they result in the redevelopment of this part of the university estate so that it returns to a predominantly residential one;
- a number of assets are affected by the proposals but every attempt has been made to reduce the potential impact;
- a thorough heritage assessment has been undertaken which appears to have informed the proposals;
- this has resulted in limited historic fabric being affected, and an acceptable scheme being prepared;
- the new development will have the positive feature of partially screening the existing cluster of buildings from the much larger neighbouring building therefore supporting the concept of additional development;
- on balance, the proposal is considered to not cause harm to the significance of the heritage assets or their setting; and
- request conditions to control details of landscaping, boundary treatments, all materials, windows & doors and to reuse flint.

ADC DRAINAGE ENGINEERS - no objection and recommend standard conditions. The site lies within Flood Zone 3 but the primary flood source is tidal. On the basis of the EA defences at Felpham/Bognor which mitigate risk, will accept sustainable drainage features in this location and would expect to see infiltration fully investigated.

ADC ENVIRONMENTAL HEALTH - no objection subject to conditions to secure electric vehicle charge points, protect against unexpected contamination, control construction hours and control internal & external noise levels.

ADC LANDSCAPE OFFICER - no objection subject to a landscape scheme being secured and biodiversity net gain being demonstrated.

COUNCILS ECOLOGIST - no objections subject to conditions to control when works to buildings take place, to ensure roof tiles on 67/69 are removed by hand in the presence of an ecologist, to control new lighting, to provide new bat boxes/tiles, to protect birds nests in trees, to ensure reptiles & hedgehogs are protected during clearance works, to provide hedgehog nesting facilities and to secure the biodiversity area & its future management.

COUNCILS ARCHAEOLOGIST - agrees with the conclusions of the Heritage Statement regarding the archaeological potential and that the impact of the development on anything of interest that might be present would be best mitigated through preservation by record. Requests a condition. A suitable investigation might take the form of a watching brief on all significant ground-works or an initial investigation by trial trenching followed by targeted investigation.

CONSERVATION AREA ADVISORY COMMITTEE - no objection subject to conservation roof lights being used and details to be approved of all materials and joinery.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted except as discussed below:

WSCC HIGHWAYS - The agent stated: "There is at least the standard 6.1m behind all the parking bays and the low wall to Charlotte House stops 3.5m short of the end of the parking bays so providing adequate room for cars to enter and exit. In the planning officer's report to the 2019 application it was noted that 'a refuse vehicle would be unable to enter and exit the site in a forward gear. The LHA has indicated that road side collection is suitable along Upper Bognor Road.' We have indicated on the site plan how it would be possible for a refuse truck to reverse into the site to facilitate bin collection."

The officer report for BR/351/19/PL stated "The Local Highway Authority has indicated that roadside collection is suitable along Upper Bognor Road." The applicant has taken this one step further and shown it is possible for a refuse vehicle to back into the site. Whilst this may not be desirable from a highway point of view, in practice it would be for the refuse operator to determine how they wish to service the site. A condition requiring that refuse vehicle turning on-site be demonstrated would not be reasonable as the layout will have already been approved by this permission which may leave the condition unable to be agreed.

It is agreed that there is a 3.5m wide access to the Charlotte House parking. The access to the northern parking area (which is mentioned in the full highway response) is 4.5m wide and there is at least 6.1m of manoeuvring space behind each space. On this basis, it is not necessary to consider the impact of parking displacement as all spaces can be accessed.

COUNCILS ECOLOGIST - it is not appropriate to impose a condition to protect birds nests as this is covered by separate legislation and would fail to meet the 6 tests as per para 55 of the NPPF.

POLICY CONTEXT

Designations applicable to site:

- Within the Built Up Area Boundary;
- Bognor Regis Economic Growth Area;
- Grade II Listed Buildings on the site;
- Upper Bognor Road and Mead Lane Conservation Areas;
- Archaeological Notification Area;
- Edge of Flood Zones 2 & 3 - part within and part outside, also subject to future flood risk;
- 2km Buffer of Bognor Reef and Felpham SSSIs;
- CIL Charging Zone 4; and
- TPO/BR/2/93.

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
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPDM2	EMP DM2 Enterprise Bognor Regis
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERDM6	HER DM6 Sites of Archaeological Interest
HERSP1	HER SP1 The Historic Environment
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development

SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Bognor Regis Neighbourhood Plan 2015 Policy 1	Delivery of the Vision
Bognor Regis Neighbourhood Plan 2015 Policy 8A	Design Excellence
Bognor Regis Neighbourhood Plan 2015 Policy 8B	Car Parking
Bognor Regis Neighbourhood Plan 2015 Policy 8j	The University of Chichester Bognor Regis Campus

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
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
SPD2	Conservation Areas

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Bognor Regis Neighbourhood Development Plan policies 1, 8a, 8b and 8j are considered in this report.

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 for development within the Built-Up Area Boundary and would not cause demonstrable harm to the listed buildings, to the Conservation Area, to highway safety, trees, biodiversity or residential amenity. It would not conflict with development plan policies regarding flooding. It does result in a net loss of University buildings in conflict with the Bognor Regis Economic Growth Area policy.

The site is in a Conservation Area and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: "In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposal directly Grade II Listed buildings and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: "In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The proposal is not considered to cause harm to the significance of the heritage assets or their setting and therefore complies with the Act.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations in this case.

CONCLUSIONS

PRINCIPLE:

The site lies within the built up area boundary (BUAB) where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and provided it is in accordance with other policies of the Local Plan covering such issues as flood risk, biodiversity, trees, heritage assets, design, highway safety/parking, residential amenity, space standards and climate change.

Policy EMP SP2 of the ALP states that within the Bognor Regis Economic Growth Area the Council will particularly encourage the expansion and improvement of the academic and recreational facilities for the University of Chichester. The development would result in a net loss of buildings currently used by the University of Chichester and would therefore be contrary to Policy EMP SP2. It is material that there is an extant permission for the redevelopment of this site and that the University are engaged in expanding their facilities elsewhere within their ownership. As such, it would appear that this small site is surplus to their requirements.

ALP policy SD SP1 seeks to ensure that new development is sustainable. The development would provide residential accommodation to meet a specific social need in the community (which itself accords with para 62 of the NPPF) in a sustainable central location which provides access to jobs and services required for day-to-day living thus potentially supporting the local economy. The development would make an effective use of a previously developed plot surrounded by similar development and with mitigation, will not cause any harm to local biodiversity.

The wider University site (including the application area) is designated by the Bognor Regis Neighbourhood Development Plan (BRNDP) as a key priority site and policy 8j promotes the this area as

a high quality & low carbon education, research and employment-led development.

FLOOD RISK:

The site lies partially in flood zones 1, 2 and 3 with 67/69/71 and the site of the new building being within FZ3 and Charlotte House outside. It is predicted that the whole of the site will be FZ3 by 2111. ALP policy W DM2 and national flood risk policy requires that proposals in such areas meet the sequential and exceptions tests, provide sustainability benefits to the wider community, demonstrate that the development will be safe and do not increase flood risk elsewhere.

The national planning practice guidance states that new residential development in Flood Zone 3a is acceptable provided that the sequential and exceptions test are met. It is necessary to sequentially test sites affected by future flood risk. The sequential test is only required for new buildings (not change of use). The purpose of the sequential test is to ensure that land use planning takes due regard of flood risks and to ensure that areas at low or no risk of flooding are developed in preference to areas at higher risk.

A Sequential Test (ST) assessment has been provided in the submitted Flood Risk Assessment (FRA) for the new building. This considers sites within the BUAB of Bognor Regis and within 1 mile of the site and used the Councils Housing & Economic Land Availability Assessment (HELAA) Brownfield Land & Self-Build Register to identify sites. It identified 8 sites but advises none are sequentially preferable due to either having the same flood risk level or a greater risk. The ST is acceptable and therefore this policy requirement has been met.

The next step is to consider the exceptions test (ET) and this requires (1) that the proposal will provide wider sustainability benefits to the community that outweigh the flood risk; and (2) that it will be safe for its lifetime without increasing flood risk elsewhere and where possible reduce flood risk overall.

The submitted FRA provides a response to the ET and states that:

- this site is highly sustainable for the intended use due to its location within the curtilage of the University, with excellent public transport links and associated infrastructure, including schools, shops and health services;
- the development makes efficient and effective use of an area of brownfield/scrub land that has remained unused for many years;
- the site is bounded by existing and protected walls, forming a discrete residential community;
- the development brings back into use, currently derelict and redundant properties whilst enhancing the settings of the existing listed buildings;
- the courtyard development enhances the Conservation Area and is respectful of the local heritage assets;
- as the site is bounded on three sides by protected walls, this will allow the development to be easily and sensitively separated from the University campus allowing for a pleasant, private, courtyard development; and
- the FRA sets out mitigation measures which will not cause an increased flood risk to the surrounding area. Users of the development will be safe.

Importantly, the sleeping accommodation in the new building is solely at first floor. The EA reviewed the FRA and raise no objections. They request no conditions although they do discuss the need for a flood Warning & Evacuation Plan and this has been made subject of a condition.

ADC Drainage Engineers state the primary flood source is tidal and the EA maintained defences at Felpham/Bognor mitigate the risk. The use of sustainable drainage features (including infiltration) to deal

with surface water runoff will be acceptable.

The proposal passes the Sequential and Exceptions Tests and is compliant with the requirements of ALP policy W DM2 and the national planning guidance on flood risk.

BIODIVERSITY:

ALP policy ENV DM5 requires that proposals achieve a net gain in biodiversity and protect existing habitats on site. The applicants assessed the wildlife value of the site and specifically investigated the potential of existing buildings to support bats. Nos. 67/69 and 71/71a are considered to have low hibernation potential for bat species.

The Council's ecologist is happy for the works to take place subject to controls on when works take place to these buildings. It is recommended that site clearance works are carried out carefully in view of the potential for reptiles and hedgehogs to be present. Conditions are imposed to ensure that the proposal is developed in accordance with the ecologist's comments.

The proposal results in the loss of existing ruderal habitat with dense bramble, nettle scrub, saplings, trees (two to be lost), amenity grassland and piles of bricks & rubble plus rubbish bins and some hardstanding. This will result in a loss of suitable habitat for reptiles, amphibians, nesting birds and hedgehog. However, the proposal includes enhancements in the form of bat, bird, reptile & hedgehog nesting habitats, seven new sections of new native hedge and 4 new trees.

The Reptile Mitigation Statement states that an area immediately east of the site has been retained for biodiversity enhancements and that it will include a wildflower meadow, one hibernacula and native hedgerow planting. However, this is outside of the site ownership and has been provided as part of the University Digital Tech Park redevelopment approved by BR/54/16/PL. Whilst it does exist and wildlife species from the application site can access it, the presence of this cannot be used to offset any biodiversity loss from the proposal. It is not appropriate to refer to it in any conditions (which had been requested by the Councils ecologists).

Without the biodiversity enhancement area, the enhancements as a whole have less value. On balance it is considered that they (hedges, trees, nesting habitat) are sufficient to outweigh the harm deriving from the loss of the existing scrub vegetation particularly given that the reptile survey recorded a likely absence of reptiles and there was low bat roost potential within the site. As such, there is no conflict with ALP policy ENV DM5.

TREES & LANDSCAPING:

The proposal will result in the loss of two trees (T5 Crab Apple & T9 Sycamore) and pruning works to a third (T8 Sycamore). All other trees are retained and protected. Some no-dig construction is necessary near to T6 Norway Maple & T7 Sweet Chestnut to accommodate parking spaces whilst some supervised hand digging is required around T8 Sycamore. No A or B category trees are being removed.

ALP policies D DM1, LAN DM1 and D SP1 are relevant to landscaping proposals and seek to ensure that this is an integral part of the proposal reflecting and contributing to character. ALP policy ENV DM4 requires that TPO protected trees, Ancient Woodland, those in a Conservation Area or trees that contribute to local amenity are not damaged or felled unless the developments meets the following criteria:

- a. tree loss is in the interests of good arboricultural practice;
- b. tree loss would enhance the survival & growth prospects of other protected trees;

c. the benefits outweigh the loss of trees or woodland, especially ancient woodland.

The proposal fully respects existing TPO trees which are near to Charlotte House and are not affected by any works. All other trees on site are in the Conservation Area and it is clear that two of these are being removed with works to a third. The submitted Arboricultural Method Statement states that T5 is to be removed for sound arboricultural management reasons but that T9 is removed to facilitate the proposals.

The Council's Tree Officer has not responded to this application and provided general comments to the pre-application enquiry. On the previous application, different trees were proposed for removal (7 in total) and this was deemed acceptable on the basis that they comprised the smallest trees on the site and would be mitigated through compensatory planting.

One of the trees to be removed (T9) is clearly visible from Upper Bognor Road and although not significant in size does contribute to amenity perhaps reflecting its B categorisation. However, it hides T5 from view. The loss of T9 is unfortunate but it is clearly required to facilitate parking provision for the development and its loss together with compensatory planting will not adversely affect the existing natural character of this location.

The permission will be subject to a landscaping scheme to control planting across the site. The proposal therefore accords with ALP policies D DM1, LAN DM1, D SP1 and ENV DM4.

HERITAGE ASSETS:

The site is in a Conservation Area and the proposal also directly affects Grade II Listed buildings (nos. 65, 67 & 69 and 71/71A Upper Bognor Road plus various walls and associated structures). There are other Grade I and II Listed Buildings within the wider adjacent University site.

ALP policy HER SP1 states development likely to prejudice heritage assets and their settings will be refused. HER DM1 requires that proposals protect and, where possible, enhance the setting of Listed Buildings. HER DM3 criteria for proposals affecting the setting of a Conservation Area and those relevant are:

- (a) New buildings and structures should acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings;
- (b) Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area;
- (e) It retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges; and
- (f) It does not harm important views into, out of or within the Conservation Area.

BRNDP policy 1 states that proposals must identify the significance of any affected heritage asset and assess any harm & benefit. Similarly, para. 194 of the NPPF requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 195 then requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that is affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is no harm, 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in para 202).

The applicants have provided a detailed Heritage Statement which concludes that:

- The heritage significance of the Bognor Regis Campus lies in the complex interaction of statutory listed buildings both Grade I and Grade II, particularly their setting and the character and appearance of the Hotham Park Conservation Area;
- The development has been sensitively designed to respond positively to the existing fabric of the Grade II listed buildings, work with their surviving plan form (and retains this where possible) and historic features and keeps the loss of historic fabric to a minimum;
- There will be very limited harm to designated heritage assets and this will be offset against the significant public benefits of bringing back a series of buildings into their original use and a use that will be of long term benefit to the buildings and to the site as a whole;
- The proposed new building to the site has been designed so as to be architecturally sensitive to its historic setting; and
- The scale, form, layout and detailed design of the proposed development will not harm the setting of designated heritage assets and will preserve and enhance the character and appearance of the Hotham Park Conservation Area.

The Councils Conservation Officer states that the significance of the existing listed buildings is derived from their architecture & design with the existing boundary walls on the site also having historic significance. The Conservation Officer states whilst the proposals are substantial and a number of assets are affected, every attempt has been made to reduce the potential impact and a limited amount of historic fabric is affected. Furthermore, the new building will be positive in that it will screen the existing cluster of buildings from the newer University building to the east. On balance, it is concluded that the proposal will not cause harm to the significance of the heritage assets or their setting and therefore it is not necessary to assess the benefits associated with the application.

The proposal is in accordance with the relevant development plan policies as there is no harm to the buildings or their setting, the new building has been carefully designed to reflect the scale and appearance of the existing buildings, alterations are appropriate in design and there is loss of the historically significant boundaries. There is no conflict with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act.

ARCHAEOLOGY:

ALP Policy HER DM6 states where a site on which development is proposed has the potential to include heritage assets with archaeological interest, permission will only be granted where it can be demonstrated development will not be harmful to the archaeological interest of these sites. The policy requires a desk based archaeological assessment be submitted with the application. The Councils Archaeologist raises no objections. The application is accompanied by an archaeological assessment and so there is no conflict with policy HER DM6.

DESIGN & VISUAL AMENITY:

ALP policies D SP1 and D DM1 require development to make the best possible use of land by reflecting or improving on the character of the site/surrounding area. D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. These seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality. BRNDP policy 8a requires new development on the University site to demonstrate design excellence, to enhance local character/quality and use good quality materials.

The National Design Guide (NDG) has weight as a material consideration in the determination of this application and states achieving a well-designed place comes about through making the right choices at all levels, including the layout (or masterplan), the form and scale of buildings, their appearance,

landscape, materials and their detailing.

The Arun Design Guide is a material consideration and Section J refers to new building design and states new development must ensure the existing character and sense of place of an area is respected and enhanced. This can allow for new design forms but only where these take cues from well-designed elements of the existing area. New development should generally reflect the scale of existing buildings and should avoid overshadowing of neighbouring properties.

The external works to no. 65 (Charlotte House) consist of two new windows and a new roof covering to an external store which result in little to no impact and are acceptable. Nos 67 & 69 are being converted with no external changes. No. 71/71A will be converted with external window/door changes and a new extension on the west side. The new extension will be part single and part two storey but in either case is a subservient addition. Its roof matches in design with an existing roof on the opposite end of the building and the windows are the same design as the host building. Materials will match and there is no conflict with the relevant policies

The new two storey building will be to the immediate south east of 71/71A and have an L shaped form. It has been designed to reflect the existing building form/design with similar fenestration, roof pitch and materials. It will be approximately 1.4m lower than 71/71A and will be subservient addition to the site.

All boundary walls on the site are being retained and will be complemented with new estate metal fencing, hedging and timber fencing. Overall, the proposal is in accordance with the relevant policies.

HIGHWAY SAFETY & PARKING:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking.

BRNDP policy 8b states proposals should demonstrate through a Transport Assessment and Travel Plan they do not impact on existing capacity of public highways to accommodate parking. The site falls below the threshold (in terms of no of dwellings/site area) at which a Transport Assessment or Travel Plan would be required but an access appraisal statement has been provided. The Council has a Parking Standards SPD.

Para 110 of the NPPF states: "In assessing .. specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para 111 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."

Access will be as the existing from Upper Bognor Road but this will then be sealed off via gates from the rest of the University campus so that the development becomes a standalone site (albeit that the gates will allow for emergency access between the site/the road & the University and vice versa). This access had been operating as 'in' only with vehicles then exiting the University onto Felpham Way but given the reduction in traffic movements associated with the access (once separated from the University) it is proposed that this will once again allow for both 'in' & 'out' movements.

WSCC raise no objections to the change in how the access will operate. As reported elsewhere in this report they have some concerns about bin lorry access arrangements & the accessibility of some of the

parking spaces but for the reasons set out under the "Officers Comments on Cons" section, it would not be sustainable to refuse on this basis, request amendment or impose a turning condition.

The development will comprise 11 dwellings (including the wardens studio flat), 75m² offices and 60m² workshop space. As per the Councils Parking Standards, this generates a parking need of 11 allocated residential spaces, 5 allocated spaces for the business uses and 2 visitor spaces so a total of 18 spaces. The proposed provision is 19 spaces which exceeds this. The proposal includes cycle storage sheds to allow for the storage of cycles. The site is very close to nearby amenities (which can be walked or cycled to) and is on a bus route and so there are realistic alternatives to the use of a car.

It is recognised the site will be occupied by the Aldingbourne Trust and will accommodate adults with learning difficulties, some of whom may be unable to drive. However, as there is no under provision of parking, it is not necessary to impose a condition restricting the use of the site to the proposed occupier for reason of parking provision. There are no conflicts with relevant policies as identified above.

RESIDENTIAL AMENITY

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Council's Design Guide sets out guidance on interface distances between houses:

- Back to Back: min. 21m between habitable rooms of properties or to existing buildings.
- Back/Front to Side: min. 14m between habitable rooms and side gable of adjacent property.
- Front to Front: min. 16m between habitable rooms of properties facing each other.
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.
- There are no standards for either side to side or front to back.

As Charlotte House and 67/69 & 71/71A Upper Bognor Road are existing buildings which are currently or have previously been occupied for a form of residential use (as student accommodation), it is not appropriate to assess the relationship of these with each other. In addition, the nearest existing student accommodation outside the site is over 30m to the North and so there is no impact between facing windows.

To the east of the site lies the University Digital Technology Park and there is a large 3 storey building just 13.5m from the eastwards projection of the proposed new building. This has no windows and is not residential however due to its height it may affect light reaching part of the new building but this will only occur in the mornings and will not be harmful.

There are conflicts in respect of the Design Guide requirements in respect of the relationship between the new building and 71/71A as the distance between is only 4.5m. Furthermore, the new building faces the front of 67/69 at only 11.5m. However the area is of historic value where views between buildings can often be smaller than in modern day estates. The first occupiers are intended to be Aldingbourne Trust with occupiers known to each other and so the closeness of overlooking is less vital. Should the ownership change future occupiers will be aware of the issue prior to purchase.

General residential amenity is acceptable in accordance with the policies above and the Design Guide.

QUALITY OF ACCOMMODATION:

As per ALP policy D DM2, it is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if

buildings will be suitable for residential use. Section J.08 of the ADC Design SPD re-iterates this requirement. All bedrooms, even those in the buildings to be converted, comply with the requirements. The wardens studio flat does not comply but it is material that it is not intended as permanent accommodation.

Section H.04 of the Arun Design Guide sets out standards for garden sizes as follows:

- Private Rear Garden: min. 10.5m depth;
- Private Front Garden: min. 2m depth;
- Private Amenity space for flats including balconies: at least 3sqm of useable space; and
- Communal Shared Spaces for flats: minimum 40sqm plus 10sqm for each unit if not provided as balcony space.

The layout shows gardens to all of the proposed flats. The gardens to the dwellings in 67/69 Upper Bognor Road are both over 10.5m and all of the flats in the scheme have private gardens in excess of the 3m² requirement. The two gardens to Charlotte House go part around the building and so are not a traditional rectangular space. As such, they do not have the required rear distance but are nonetheless generous spaces and so there is no harm to the amenity of future occupiers. None of the dwellings have defined front gardens but they all open onto communal spaces which contribute to a positive shared environment conducive to the intended occupation of the site by the Aldingbourne Trust.

The proposal will provide a decent standard of amenity for future residents and is therefore acceptable.

TELECOMMUNICATIONS:

ALP policy TEL SP1 state all proposals for new residential, employment and commercial development must be designed to be connected to high quality communications infrastructure. These policies will be adhered to by means of a condition to require evidence of such a connection before the homes are occupied. On this basis, there is no conflict with the policies.

SUSTAINABLE CONSTRUCTION:

ALP policy ECC SP2 requires that all new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems. ECC SP1 requires that new development be designed to adapt to impacts arising from climate change.

The application does not respond to these policies other than to suggest that heat pumps will be used in the conversion of 71/71A Upper Bognor Road. A condition is imposed to ensure that measures are included where appropriate and a further condition is included to require electric vehicle charge points. Subject to the conditions being discharged, the proposal would comply with policies ECC SP1 and ECC SP2.

SUMMARY:

The principle of this development is in accordance with the development plan except that there is conflict with the Bognor Regis Economic Growth Area policy. The proposal would represent a small boost to the Council's housing land supply figures. It represents sustainable development, is generally policy compliant and approval would accord with para 11 c of the NPPF.

This report identifies some impacts in respect of harm to the growth area, loss of wildlife habitat, loss of trees and non-compliance with the guidance on distances between dwellings but these do not significantly and demonstrably outweigh the benefits. There is no conflict with other policies in the NPPF.

The proposal is therefore recommended for approval subject to conditions.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

CIL DETAILS

This application is CIL Liable but only in respect of the floorspace associated with the two houses within nos. 67/69. A CIL amount of £14,512.57 is payable unless the applicant applies for exemption subject to the requirements of the CIL Regulations 2010 (as amended). The Town Council would receive a 25% share of the money received.

RECOMMENDATION

APPROVE CONDITIONALLY

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

LOCATION PLAN 5557-011-D1;
 PROPOSED SITE PLAN 5557-100-D7;
 67 & 69 UPPER BOGNOR ROAD PROPOSED GROUND FLOOR PLAN 5557-101-D2;
 67 & 69 UPPER BOGNOR ROAD PROPOSED FIRST FLOOR PLAN 5557-102-D2;

67 & 69 UPPER BOGNOR ROAD PROPOSED ELEVATIONS 5557-103-D2;
71 UPPER BOGNOR ROAD PROPOSED ELEVATIONS 5557-109-D5;
NEW BUILDING PROPOSED GROUND FLOOR PLAN 5557-110-D6;
NEW BUILDING PROPOSED FIRST FLOOR PLAN 5557-111-D6;
NEW BUILDING PROPOSED ELEVATIONS 5557-112-D4;
67-69 UPPER BOGNOR ROAD & LIVE/WORK UNIT SECTIONS & PROPOSED STREET ELEVATIONS 5557-113-D2 ;
PROPOSED BIN AND CYCLE STORES FLOOR PLANS AND ELEVATIONS 5557-114-D2;
PROPOSED BLOCK PLAN 5557-115-D1;
71 UPPER BOGNOR ROAD PROPOSED GROUND FLOOR PLAN 5557-116-D4;
71 UPPER BOGNOR ROAD PROPOSED FIRST FLOOR PLAN 5557-117-D3;
CHARLOTTE HOUSE PROPOSED GROUND FLOOR PLAN 5557-120-D1;
CHARLOTTE HOUSE PROPOSED FIRST FLOOR PLAN 5557-121-D1;
CHARLOTTE HOUSE PROPOSED ELEVATIONS 5557-122-D1; and
TREE PROTECTION PLAN INCLUDING TREE RETENTION AND REMOVALS BHJ 03/04.

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

- 3 All activity at the site is to be carried out in strict accordance with the "Arboricultural Method Statement" by Bernie Haverson (ref 1205.bjh.Sept21) and the Tree Protection Plan including Tree Retention & Removals ref BHJ 03/04 (09/21).

Reasons: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 4 The approved works to nos. 67/69 or 71/71A Upper Bognor Road shall only take place between the middle of March and the end of October and all works to buildings 67/69 must be in accordance with the recommendations given at 4.2.1 of the Bat Scoping Report and Preliminary Ecological by the Ecology Co-op (ref 3457, 13/01/22). In addition, any brush, compost and/or debris piles on the site must be removed by hand outside of the hedgehog hibernation period mid-October to mid-March inclusive.

Reason: To avoid disturbing hibernating bats and hedgehogs in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 5 Prior to the construction phase of the site, all site operatives shall be briefed on the various measures in the Reptile Mitigation Statement (June 2021), Ecological Assessment (November 2019) and the Bat Scoping Report and Preliminary Ecological by the Ecology Co-op (ref 3457, 13/01/22) to protect wildlife and minimise disturbance.

Prior to commencement, the site shall be searched carefully and if any small mammals including hedgehogs are found they should be relocated away from the construction area into surrounding suitable habitats. In addition, clearance of the natural areas shall take place using a precautionary approach by staged vegetation management and a destructive search for reptiles by a suitably qualified ecologist.

During construction, the site shall be regularly monitored by an ecologist and during night time periods, all deep pits/trenches/holes present on the site shall either be covered or provided with a means of escape.

Reason: In the interests of the site biodiversity in accordance with policy ENV DM5 of the Arun Local Plan and the NPPF. This is required to be a pre-commencement condition because otherwise reptiles and hedgehogs may be harmed.

- 6 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building and no part of an extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 7 Prior to the commencement of the development hereby approved, a scheme to demonstrate that:

(a) the internal noise levels within the residential units will conform to the 'Indoor ambient noise levels for dwellings' guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 shall be complied by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The scheme should take into account the correct number of air changes required for noise affected rooms; and

(b) the external noise levels within the curtilage of residential units will conform to the 'Design criteria for external noise' upper guideline value of 55 dB LAeq,T as specified within section 7.7.3.2 of BS 8233:2014 guidance on sound insulation and noise reduction for proposed developments shall be submitted to and approved in writing by the Local Planning Authority

The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of future local residents in accordance with policy QE DM1 of the Arun Local Plan. This is required to be a pre-commencement condition because measures may need to be built into the fabric of the building.

- 8 Prior to the commencement of development, full details of all eaves, guttering, materials, windows (including conservation roof lights), doors and other proposed external finishings shall be submitted to the Local Planning Authority, in writing, for approval. Window/door details will need to be of an appropriate scale and include details of the sections and glazing or glazing bars. New materials should replicate the existing and any flint removed as part of the works should also be reused. Once approved, the development shall be undertaken in accordance with these details and retained as such at all times thereafter in perpetuity.

Reason: The necessity for this matter to be addressed prior to the commencement of development is to ensure that no harm to the listed buildings and/or new buildings is created which cannot be reversed. For the avoidance of doubt and in the interests of amenity and the

environment in accordance with policies HER SP1 and HER DM1 of the Arun Local Plan.

- 9 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because the commencement of construction work could harm any archaeology within the site area.

- 10 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development and arrangements for future maintenance. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity, the environment and heritage assets in accordance with policies D DM1, HER DM1 and HER DM3 of the Arun Local Plan.

- 11 No development above damp proof course (DPC) level shall take place until details of all new boundary treatments have been submitted to and approved by the Local Planning Authority and no part of the development shall be occupied until such boundary treatments have been erected. The estate fencing should not have a powder coated treatment.

Reason: In the interests of amenity, the environment and heritage assets in accordance with policies D DM1, HER DM1 and HER DM3 of the Arun Local Plan.

- 12 No development above damp-proof course (DPC) level shall take place unless and until the applicant has submitted a scheme for approval in writing 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 incorporate decentralised, renewable and low carbon energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of any part of the building and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with the NPPF and policy ECC SP2 of the Arun Local Plan.

- 13 Prior to the occupation of the development hereby permitted, the mitigation measures and recommendations detailed in the Reptile Mitigation Statement (June 2021) and Ecological Assessment (November 2019) in relation to reptiles and hedgehogs shall be undertaken on site. Once undertaken, the mitigation measures shall be retained as such at all times thereafter in perpetuity. The discharge of this condition is not dependant on any enhancement works to the proposed biodiversity enhancement area should it not be possible to reach agreement with the landowner to enhance this area.

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

- 14 No part of the development shall be first occupied until full details of the placement of bat and hedgehog nesting facilities within the site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority. The submission shall include three purpose designed bat tiles placed onto the new roof for the extension on 71/71A, and/or Beaumaris Wall-Mounted bat shelters installed upon the external faces of both buildings close to the eaves of the building on the south or eastern face; and a hedgehog nesting box within the site.

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

- 15 Prior to the occupation of any part of the development, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) but also minimise potential impacts to any bats present on the site (in accordance with the BCT/ILP Guidance Note 08.18) by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime, road safety and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2, T SP1 & ENV DM5 of the Arun Local Plan.

- 16 No part of the development, hereby approved, shall be occupied until provision for parking and turning of cars associated with the development has been provided in accordance with the approved plans. Provision should thereafter be maintained solely for the purpose of the parking and turning of vehicles clear of the highway.

Reason: To ensure that adequate provision for the parking and turning of vehicles is provided for the development in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

- 17 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved 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 2030, 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 NPPF.

- 18 No part of the development shall be first occupied until a Flood Emergency Plan has been prepared and provided to all future residents. This should achieve the following objectives:

- identification of the extent of flooding in a 0.5% annual probability including the effects of climate change event;
- anticipated/possible number, and vulnerability classification of residents/users (e.g. children, disabled, aged, etc.);
- plan of dry access routes, if they exist, or safest routes if dry routes don't exist;
- details of areas of safe refuge;

- details of Environment Agency Flood Warning Area and/or proposed Warning Evacuation Procedure before the flood; and,
- safe haven procedure for full duration of flood, plus Emergency Evacuation Procedure in case of sudden illness or exceedance flood.

Reason: In the interests of the safety of future residents in accordance with policy W DM2 of the Arun Local Plan and the NPPF.

- 19 Prior to the occupation of any of the new dwellings, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 20 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with policy QE DM4 of the Arun Local Plan and the NPPF.

- 21 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.

- 22 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is

capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 23 INFORMATIVE: The development should be carried out in accordance with the 'Arun District Council Construction Code of Practice: For small developments in Arun', available from:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjjm4n12193.pdf&ver=12201>

- 24 INFORMATIVE: All parts of the new flats must be within 45m of a fire appliance in accordance with the requirements of Approved Document B: Volume 1 2019 edition B5 section 13. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS4854 standards.

- 25 INFORMATIVE: Please note the comments of the Councils Conservation Officer with reference to the window treatments of the different buildings which is relevant to the condition on details of windows and other openings.

- 26 INFORMATIVE: The Environment Agency strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. The following documents may also be useful:

Flood resilient construction of new buildings :
<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>.

- 27 INFORMATIVE: The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

- 28 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 29 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are

discovered during the work, you must stop immediately and contact Natural England before continuing.