

Recommendation Report for Planning Permission

REF NO: BR/34/20/PL

LOCATION: 102 Linden Road
Bognor Regis
PO21 2BD

PROPOSAL: Change of use from 1 No. detached house (6 bedrooms) to 2 No. semi detached houses (1 x 5 bedroom & 1 x 3 bedroom), including a single storey rear extension, enlargement of existing rear dormer, new ground floor side facing window, and the replacement of the existing window and garage door to the front elevation with entrance door, window and brick infill.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The single storey rear extension would be 4.5m deep, 6.6m wide, and would have a half-hipped roof form with an eaves height of 2.5m and a ridge height of 4.3m. It would attach to an existing rear projection which is 3.5m deep, making a total depth of almost 8m. The brick elevations and roof tiles are proposed to match those of the existing building.
SITE AREA	0.06 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Existing = 16.6 dwellings per hectare Proposed = 33.3 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance within the site itself. Line of trees at the rear of the garden close to the public footpath and Cemetery. Appears to be a silver birch in the neighbours garden close to the boundary with the application site.
BOUNDARY TREATMENT	Medium height concrete/stone and brick pier wall, black painted metal pedestrian gate and open vehicular access to front boundary. Timber picket fencing and close board fence panels with concrete posts to side and rear boundaries.
SITE CHARACTERISTICS	The site consists of a detached, two storey, residential property, with a front garden area, a front driveway laid to hardstanding and accommodates the parking of 2 vehicles on site, and a rear garden. The end of the rear garden adjoins a public footpath and Cemetery. The property is constructed of brick and white render elevations, and a brown tiled hipped roof. It has an existing two storey side extension (which included an integrated garage), which was approved in 1996, and in 2007 a Certificate of Lawfulness was agreed for the proposed conversion of one of the garages to a habitable room.
CHARACTER OF LOCALITY	The property is located on the north western side of Linden Road, in Bognor Regis. It is within the Built-Up Area Boundary,

in a residential sub-urban area. Linden Road is a residential street comprising a mixed character of detached, semi-detached and terraced houses of 2 storeys with small enclosed front gardens, and a mixture of on-site and on-street parking. The site is in an area covered by the Bognor Regis Neighbourhood Plan. The site is also within Zone B of Pagham Harbour (a Site of International Importance for Nature Conservation - SIINC).

RELEVANT SITE HISTORY

BR/257/07/CLP	Application for a Certificate of Lawfulness for a proposed development - Conversion of integral garage to accommodation.	PP Not Required 15-10-07
BR/131/96	Two storey side extension to existing house	ApproveConditionally 16-07-96

BR/131/96

Two storey side extension to existing house - Approved 16/07/1996

This permission included a condition which stated the extension should not be used as a separate unit of accommodation, the reason for its imposition being that this would give rise to over-intensification of the site and lead to an unsatisfactory relationship between independent dwellings.

The assessment under this application concludes the conversion to a separate dwelling, taking account of compliance with internal/external space and parking standards, would not be harmful, given the existence of other semi-detached properties in the area, and the suburban residential character of the area.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Due to the outbreak of the Coronavirus (Covid 19), the Town Council's Planning and Licensing Committee are not meeting for the foreseeable future. For this reason, Bognor Regis Town Council submit NO COMMENT in response to this planning application at this time.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Natural England

Environmental Health
Engineering Services Manager
Engineers (Drainage)
Ecology Advisor
WSCC Strategic Planning
Arboriculturist

CONSULTATION RESPONSES RECEIVED:

ADC PRIVATE SECTOR HOUSING OFFICER:

- Appropriate fire precaution facilities and equipment must be provided, including suitable fire alarm systems for rented and owner-occupied properties, recommend fire blankets in kitchens.
- No bathroom facilities in House 2
- Room size standards
- Mechanical ventilation to be provided in bathrooms, shower rooms and en-suites and in WC in House 2 as no window
- Must meet requirements of Housing Act 2004 and be free of Category 1 and significant Category 2 hazards.

ADC ENVIRONMENTAL HEALTH:

No comments received.

WSCC HIGHWAYS:

No objection. Linden Rd does not have parking restrictions and no trees or street furniture that would be affected by proposal. Applicant will need to apply to the County Highways Authority for a minor works licence (small scale S278 agreement) for the site access works (vehicle crossover) to the public highway. Recommend informatives on need for highway licences for vehicle crossover and temporary construction works that may impact the highway.

ADC DRAINAGE ENGINEER:

No objection. Due to the location, scale and type of application no planning conditions are requested. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

ECOLOGY ADVISOR:

If any works would be undertaken to the roof an Initial Bat Survey would be required (if evidence of bats, further bat surveys and proposed mitigation measures would be required). Due to bats being legally protected species, if found to be roosting on site, applicant will need a Natural England Protected Species Licence for the works. External lighting scheme should consider bats. Bat box required to be installed. Recommend condition regarding wild nesting birds protection during works. Would like bird box to be installed in rear garden.

NATURAL ENGLAND:

Subject to financial contributions for Pagham Harbour SIINC, proposals will mitigate against impact.

WSCC MINERALS AND WASTE:

No objection. The site does not fall in a designated Minerals Safeguarding Area and not of a scale that would necessitate the investigation of minerals extraction.

COMMENTS ON CONSULTATION RESPONSES:

Noted and dealt with under the relevant sections within 'Conclusions' of report.

Private sector housing - informatives to be added regarding requirements. Amend requested to include a shared shower room or bathroom to House 2 - the floor plan has been amended to include ground floor shared shower room, now acceptable.

Ecology - informative to be attached regarding bats as protected species, and condition regarding wild nesting birds.

WSCC - informative regarding highway licences.

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary

Pagham Harbour SIINC Zone B

Bognor Regis Neighbourhood Plan

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
HSP1	HSP1 Housing allocation the housing requirement
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
QESP1	QE SP1 Quality of the Environment
WMDM1	WM DM1 Waste Management
TSP1	T SP1 Transport and Development
ENVDM4	ENV DM4 Protection of trees
ENVDM2	ENV DM2 Pagham Harbour

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan

or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The policies contained within Bognor Regis Neighbourhood Plan are relevant in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that the development is located in the Built-Up Area Boundary, would increase housing supply, respect the visual amenity of the area, provide suitable living accommodation for future occupiers, and subject to conditions would provide appropriate bin storage and car/cycle parking, protect trees, and would secure the required financial contribution to the Pagham Harbour SIINC. As such, the proposals would accord with policies SD SP2, H SP1, D SP1, D DM1, D DM2, D DM4, QE SP1, WM DM1, T SP1, ENV DM4 and ENV DM2 of the Arun Local Plan and the relevant policies of the Bognor Regis Neighbourhood Plan.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE:

Policy SD SP2 of the Arun Local Plan (ALP) states that development should be focused within the BUAB and will be permitted, subject to consideration against other policies in the Development Plan.

The site is located in the Built-Up Area Boundary. The proposed built development (rear ground floor extension, rear dormer enlargement and elevational alterations) in this location is acceptable in principle, subject to consideration against other relevant policies of the Development Plan.

HOUSING SUPPLY:

Housing supply policy H SP1 of the ALP sets out the housing requirement for the District, stating that within the Plan period 2011-2031 at least 20,000 new homes will be accommodated.

The LPA currently has a 2.9 year housing land supply (i.e. below the required 5 year HLS).

The addition of 1 unit, resulting from the sub-division of one property into two, would be welcomed since it adds to housing supply in the District and accord with housing supply policy H SP1 of the ALP.

DESIGN:

Policy D SP1 of the ALP states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, attractiveness, innovation, residential amenity impact, adaptability, density, scale, trees and crime prevention. Policy D DM4 of the ALP sets out policy specifically in relation to alterations and extensions to existing buildings. This includes that extensions and alterations appear visually subservient to the main building and sympathetically relate to and are visually integrated with the existing building in terms of siting, scale, form, massing, design and materials. The Arun District Council Design SPD is due to be adopted mid 2020 and provides detailed design guidance for developments in the District.

Paragraph 122 of the National Planning Policy Framework (NPPF) supports development that makes effective use of land and achieves appropriate densities, whilst taking into account the need for different types of housing, local market conditions and viability, the availability and capacity of infrastructure and services, and the desirability of maintaining the areas prevailing character and setting. Paragraph 127 details the design requirements for new development.

The sub-division into 2 units would be discernible in views from the street given the new front and side boundary treatments and 2 entrance doors. The existing building is wider than neighbouring properties and has a larger (double) plot width. Linden Road is a mix of detached, semi-detached and terraced properties. Given the existence of other semi-detached properties in the area, and the suburban residential character of the area, it is concluded that the sub-division would not result in harm to the character of the street scene.

The proposal includes alterations to the front elevation of the existing two storey side extension, which would consist the replacement of an existing ground floor window and garage door with a new entrance door, two windows and brick infill, to serve the new dwelling (House 2). The siting and scale of the new door and two windows would be acceptable. In addition, the fenestration design, with top lights, would, to a degree, reflect the window design to the property which feature top lights. This provides some consistency and symmetry of design. The drawings have not been fully annotated to confirm that the materials of the window and door frames and brick infill would match those of the existing property. This would be required to ensure a sympathetic appearance and that the alterations would visually integrate with the existing building and have an acceptable impact on the street scene. It is recommended a condition be added requiring materials match. The Design & Access Statement refers to part of the front boundary wall being removed and replace part of the front garden area with hardstanding. The street scene is characterised by generally enclosed frontages with front boundary walls, fences and hedges etc. During the course of the determination period, the elevations and site plan have been amended to show that some of the front boundary wall would be retained (with 2 x 6m openings for vehicular access to each of the properties). This ensures a degree of enclosure to the front of the site (instead of an entirely open unenclosed frontage) in keeping with the character of the street scene.

The enlargement and change to the window of one of the two existing rear dormers to the two storey side extension (House 2) results in it no longer matching in terms of size and window design the other rear dormer to this part of the building. This results in less symmetry than the existing arrangement. Given the size difference between the two dormers would be modest and given these alterations would be at the rear of the site away with only passing views from the Cemetery and public footpath at the rear and with no impact on the street scene, it is concluded as having an acceptable impact on the appearance of the building and area. The siting and scale of the dormer within the roof would be acceptable. Subject to a condition, its materials would match those of the property, and thus have a sympathetic appearance which would visually integrate with the building.

A single storey ground floor rear extension is proposed to serve House 2. The extension would be approximately 4.5m deep, 6.6m wide, and would have a half-hipped roof form with an eaves height of 2.5m and a ridge height of 4.3m. It would attach to an existing rear projection which is 3.5m deep, making a total depth of almost 8m from the main rear building line of the house. The extension would not be permitted development, due to its depth (over 3m) and its height (over 4m). Neither would it benefit from Prior Approval due to its overall depth (over 6m) and its height (over 4m). The extension is considered on its planning merits.

In combination with the existing rear projection the new extension would have a total depth of almost 8m which is very deep, almost 100% of the depth of the original dwelling, and would fail to appear visually subservient in scale in relation to the host building contrary to ALP extensions policy D DM4. Given the extension would be located at the rear, it would have no impact on the street scene. Whilst there is the Cemetery and a public footpath passes the rear of the site, given the extension is single storey only and given the rear boundary treatment it would partially be hidden from views. It is concluded, on balance, the impact of its scale on visual amenity would be acceptable. The half-hipped roof form would reflect that of the existing main house and the existing rear projection to this side two storey element. The brick elevations and roof tiles are proposed to match those of the existing building which would ensure a consistent and sympathetic appearance which would allow the extension to visually integrate with the existing building.

The proposals have an acceptable impact on the visual amenity of the area, in accordance with the NPPF and policies D SP1, D DM1 and D DM4 of the ALP.

RESIDENTIAL AMENITY:

Policy D DM1 of the Arun Local Plan states new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. ALP extensions D DM4 includes that extensions and alterations do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Policy QE SP1 states that the Council requires development does not have a significantly negative impact upon residential amenity. Paragraph 127 (f) of the NPPF states that development should have a high standard of amenity for existing and future users.

The new door and windows to the front, given their separation distance from properties opposite across the road, would not result in increased overlooking or impact the privacy of neighbouring occupants. The side window, given its siting at ground floor level and the boundary treatment between the application property and no.100, would not result in overlooking or loss of privacy to the occupants of this neighbouring property.

The enlarged rear dormer would not result in harmful overlooking. Whilst it would be larger and have one additional window pane, the dormer is an existing feature, and its enlargement would not give rise to substantially increased angles of view and levels of overlooking than the existing arrangement. The general pattern of development is for upper floor windows which provide some views down into the gardens of neighbouring properties.

A single storey ground floor rear extension is proposed to serve House 2. The extension would be approximately 4.5m deep, 6.6m wide, and would have a half-hipped roof form with an eaves height of 2.5m and a ridge height of 4.3m. It would attach to an existing rear projection which is 3.5m deep, making a total depth of almost 8m from the main rear building line of the house.

An extension of this depth and height would have an impact on the outlook and light levels (fails the 45 degree test) to the kitchen window and door to House 1. It would have some impact on the existing outlook and light levels to the rear conservatory and garden area to the adjacent property, no.100 Linden Road. The application property is a detached property with its permitted development rights intact, the extended PD rights would allow for the construction of an 8m deep 4m high rear extension without the need for planning permission. As such, given the PD 'fall-back' position, on balance, the residential amenity impact would not warrant refusal of the application.

INTERNAL SPACE STANDARDS:

Policy D DM2 of the Arun Local Plan states that the planning authority will require internal spaces to be of an appropriate size and that the Nationally Described Space Standards provide guidance.

The application proposes the change of use from 1 No. detached house (6 bedrooms) to 2 No. semi detached houses 1 x 5 bedroom (House 1) & 1 x 3 bedroom (House 2)

The national guidance advises that for a 2 storey 5 bedroom home, the minimum Gross Internal Area is as follows:

5B6P = 110sqm
5B7P = 119sqm
5B8P = 128sqm
(with 3.5sqm built-in storage)

House 1 has a GIA of approximately 127sqm, which would meet the standards for a 5 bedroom 7 person house. Bedrooms 1, 2 and 5 would meet the standards for double bedrooms and bedrooms 3 and 4 would meet the standards for single bedrooms. The plans do not show 3.5sqm built-in storage, however, there would be space to provide built-in storage under the stairs, within the kitchen and the larger bedrooms.

The national guidance advises that for a 2 storey 3 bedroom home, the minimum Gross Internal Area is as follows:

3B4P = 84sqm
3B5P = 93sqm
3B6P = 102sqm
(with 2.5sqm built-in storage)

House 2 has a GIA of approximately 125sqm, which would exceed the standards for a 3 bedroom 6 person house. Bedroom 3 would meet the standards for a single bedroom, and Bedrooms 1 and 2 would meet the standards for double bedrooms. Whilst Bedrooms 1 and 2 would be 'under eaves' within the roof space with dormer windows, the sections provided suggest that the majority of the floorspace of these rooms would be above 1.5m in height. Whilst Bedroom 2 may be slightly smaller in floorspace than the standards for a double bedroom this would be minimal, and the proposals would still broadly accord with the space requirements in terms of overall floorspace for double bedrooms (11.5sqm). Notwithstanding this, Policy D DM2 refers to the National Standards as 'guidance' only and also refers to exceptions e.g. conversions (such as this) where proposals are assessed on a case by case basis.

The proposals would, for the most part, accord with the National internal space standards and provide internal space of an appropriate size, as required by policy D DM2.

EXTERNAL SPACE STANDARDS:

Whilst the Council does not have specific external space standards, the supporting text to ALP policy D DM2 refers to the emerging Arun Design Guide SPD (due to be adopted mid 2020), which includes guidance on external space standards, and the need for planning applications to have regard to include adequate provision of private external space.

Paragraph H.04 of the emerging Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states that rear gardens should have a minimum depth of 10.5 metres and buildings should be set back by 2m from the plot boundary to mark defensible space.

Regard should be had to paragraph 127 of the NPPF which states "Planning policies and decisions should ensure that developments (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".

The existing front and rear gardens would be subdivided between the new properties. The rear garden to House 1 (5 bedrooms) would be approximately 101sqm. The rear garden to House 2 would be smaller at around 35sqm but then it would only serve a 3 bedroom. It would not have a minimum depth of 10.5m as suggested by the ADC design Guide but would still have a decent depth of around 7.5m and would back onto a public footpath and Cemetery i.e. not other neighbouring gardens. The gardens would be of an appropriate size and shape to provide usable and enjoyable private external amenity space, in accordance with policy D DM2 and the ADC Design SPD.

BIN STORAGE:

Policy WM DM1 of the Arun Local Plan advises that all new residential development, including flat conversions, will be permitted provided that:

(a) it is designed to ensure that kerbside collection is possible for municipal waste vehicles

Development proposals must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins.

Alternatively one 240 litre wheelie bin for each property can be provided.

The same amount of storage space/bins for recyclable materials is required to be provided.

The Block Plan and Proposed Site Plan provided shows the provision of two bins within the rear gardens to serve each property. The Design and Access Statement refers to the provision of 1 x 240l wheelie bin for refuse waste and 1 x 240l wheelie bin for recycling waste for each of the properties. It is assumed bins would be wheeled out from the rear garden to the front driveway on or just before bin collection days to provide for kerbside collection. Subject to a planning condition securing 2 bins per property as per the plans, the proposals would make adequate waste provision, in accordance with policy WM DM1.

HIGHWAYS AND PARKING:

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision.

Arun District Council has recently adopted its own Parking Standards SPD (Jan 2020).

Regard should be had to paragraph 109 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". Policy 106 refers to maximum parking standards for residential and non-residential development.

WSCC Highways raised no objection in terms of impacts of the proposals on the safe and effective operation of the highway network and no concerns regarding the proposed new access and vehicle crossover from the highway to serve House 1. They have recommended informatives on need for highway licence (S278) for the vehicle crossover and licence for temporary construction works that may impact the highway.

The proposals results in the loss of 1 parking space in the existing garage. As shown in the plans, a new vehicle crossover/dropped kerb is proposed and part of the garden area in front of House 1 paved to provide 2 spaces, along with the existing 2 parking spaces to be retained in front of House 2. Each property would have 2 on-site spaces, which would accord with the ADC Parking SPD for properties of this size (5 and 3 bedrooms) in this location (Parking Behaviour Zone 4). During the course of the determination period of this application, the site plan and elevations have been amended to show a 6m wide opening/vehicle crossover to each of the properties' driveways, providing the necessary width for 2 vehicles to access and egress the site. The site plan shows cycle parking provision (Design & Access Statement refers to secure storage 'Protect a Cycle') provided per property, which would accord with the 2 required by ADC Parking Standards. The site plan shows one electric vehicle charging point in each driveway, as required by the ADC Parking Standards, to promote sustainable travel.

Subject to conditions to secure the car/cycle parking and EVCP provision, the proposals would have acceptable highways, transport and parking impacts, and accord with the NPPF, policy T SP1 and the ADC Parking Standards.

TREES:

Policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or contributing to local amenity.

There are no trees of any significance in the site. There is a line of trees at the rear of the garden close to the public footpath and Cemetery. There appears to be a silver birch in the neighbours garden close to the boundary with the site.

The Tree Officer has been consulted on the application but not commented. Taking a precautionary approach, to ensure the protection of the trees at the rear (which provide visual amenity/contribute to the character of the area) and in the neighbouring garden, a condition is to be applied requiring a Tree Protection Plan (including a Construction Exclusion Zone) to demonstrate trees will be adequately protected.

Subject to planning condition, the proposals would adequately protect trees, in accordance with Local Plan policy ENV DM4.

PAGHAM HARBOUR SIINC:

Policy ENV DM2 requires that new residential developments within a 400m to 5km distance ('Zone B') of

Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The Councils Cabinet subsequently approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

The site is located in designated Zone B and, as such, it is necessary to apply this requirement. The net increase in 1 dwelling results in a requirement for a financial contribution of £871. This has been secured by a Section 106 legal agreement (dated 29th April 2020). The proposals therefore comply with Local Plan policy ENV DM2.

SUMMARY:

The proposal is considered to comply with relevant Development Plan policies in that the development would be located within the Built-Up Area Boundary, would increase housing supply, respect the visual amenity of the area, provide suitable living accommodation for future occupiers, and subject to planning conditions would provide appropriate bin storage and car/cycle parking, protect trees, and would secure the required financial contribution to the Pagham Harbour SIINC. Whilst there would be some impact on residential amenity as a result of the proposed rear extension, on balance, given the 'fallback' position of what could be built under permitted development rights, this would not warrant a refusal of the application. As such, the proposals would accord with policies SD SP2, H SP1, D SP1, D DM1, D DM2, D DM4, QE SP1, WM DM1, T SP1, ENV DM4, and ENV DM2 of the Arun Local Plan and the relevant policies of the Bognor Regis Neighbourhood Plan.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

SECTION 106 DETAILS

£871 towards the provision of accessible natural open green spaces to serve the Pagham Harbour (SIINC) area.

CIL DETAILS

The proposal results in the creation of 1 dwelling through a conversion and creates additional gross internal floorspace. The proposal is CIL liable. The site is located within CIL Zone 4 so chargeable at £100 per sqm.

RECOMMENDATION

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

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

 - Proposed Ground Floor Plan (drawing number 01 Rev A)
 - Proposed Elevations (drawing number 02 Rev B)
 - Proposed Site Plan (drawing number 05 Rev A)
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM4, D DM1, D DM2, QE SP1, T SP1 and WM DM1 of the Arun Local Plan.
- 3 The materials and finishes of the external walls, roof and window/door frames of the extensions and alterations hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of visual amenity in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.
- 4 No part of the development shall be first occupied until a dustbin enclosure (accommodating 2 bins for refuse/recycling storage) for each property has been installed, in accordance with the approved Proposed Site Plan. The bin storage shall thereafter be retained.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policy D DM1, QE SP1 and WM DM1 of the Arun District Local Plan.
- 5 No part of the development shall be first occupied until the car parking spaces (2 spaces) for each property have been constructed in accordance with the approved Proposed Site Plan. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the occupiers of the dwellings, in accordance with policy T SP1 of the Arun Local Plan.
- 6 No part of the development shall be first occupied until covered and secure cycle parking storage (accommodating 2 spaces) for each property has been constructed in accordance with the approved Proposed Site Plan. The cycle spaces shall thereafter be permanently retained in good working condition.

Reason: To provide alternative travel options to the use of the car, in accordance with policies

T SP1 and T DM1 of the Arun Local Plan.

- 7 No part of the development shall first be occupied, until the provision of facilities to enable the charging of electric vehicles (1 per property) has been installed in accordance with the approved Proposed Site Plan. The charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 8 No development above damp proof course (DPC) level of the rear extension hereby approved, and including hard and soft landscaping to the rear of the site, until details (in the form of a Tree Protection Plan to include a Construction Exclusion Zone) of how any third party trees and/or trees to the rear boundary of the site will be protected during construction works have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance the approved Tree Protection Plan and Construction Exclusion Zone.

Reason: To protect trees in accordance with British Standards and policy ENV DM4 of the Arun Local Plan.

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

- 10 INFORMATIVE: The applicant is advised that the works need to accord with the comments provided by the Council's Private Sector Housing Officer with regard to fire safety measures, mechanical ventilation to bathrooms, shower rooms and en-suites, meeting the requirements of the Housing Act 2004 and being free of Category 1 and significant Category 2 hazards.

- 11 INFORMATIVE: The applicant is advised that it is a criminal offence to disturb any protected species. If any protected species including bats and wild nesting birds are found to be on site before or during construction works, prior to works starting/all works are to cease immediately, and a Natural England Protected Species Licence sought.

- 12 INFORMATIVE: Vehicle Crossover - Minor Highway Works: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the Highway Authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

- 13 INFORMATIVE: Temporary Works Required During Construction: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the

Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street

parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

- 14 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the Pagham Harbour financial contribution of £871 for 1 new dwelling (S106 agreement dated 29th April 2020).