

Recommendation Report for Planning Permission

REF NO: BR/42/22/PL

LOCATION: Prince Of Wales Public House
1 Highfield Road
Bognor Regis
PO22 8BQ

PROPOSAL: Change of use from public house (Sui Generis) to an 18-bed student accommodation. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks planning permission for a change of use from public house to student accommodation (18 beds). The external alterations consist of the demolition of a single storey rear extension, addition of a first floor on the eastern side with the roof above, remodelled and fenestration changes to the elevations. A bin store and 18 space bike store are proposed to the rear of the building. No new parking spaces are shown.
SITE AREA	0.0347 hectares.
TOPOGRAPHY	The site is essentially flat, however there is level change between Hook Lane to the south and Hotham Way to the west.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Boundary treatments consist of 2m high close boarded fencing with part trellis to the western & northern boundaries, open to the front (south) and part railings, part timber fencing to the western boundary with the main road.
SITE CHARACTERISTICS	The application site comprises a part single, part two storey public house building with residential accommodation at first floor. It has two existing single storey extensions on the rear. The building is white rendered with a grey slate roof. The single storey element on the eastern end however has clay tiles. There are two chimneys. There is unrestricted on-street parking along the whole of the frontage.
CHARACTER OF LOCALITY	Predominantly residential but with three care homes in the immediate vicinity.

RELEVANT SITE HISTORY

BR/82/19/PL	Change of use from public house (A4 Drinking establishment) to 4 No. 1 bed flats & 2 No. 2 bed flats	App Cond with S106 22-10-19
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(C3 Dwelling house). Remodel roof over single storey building. Minor alterations to existing facade.

Permission was granted in October 2019 for the conversion and extension of the building to accommodate 6 residential flats.

REPRESENTATIONS

Bognor Regis Town Council state no objection provided that a student tenancy agreement prohibits car ownership, as with other planning applications for student accommodation in the Town such as BR/38/22/PL. They also state it would be preferable if the two car parking spaces indicated in the proposals were reserved for use by staff.

1 objection raising the following concerns:

- (1) Already enough flats and HMOs.
- (2) Noise from student parties etc.
- (3) Need to consider proposals to extend nearby care homes (impact on parking).
- (4) The Council should reduce Council Tax for affected properties.
- (5) Property values will be affected due to the overdevelopment of residential area.
- (6) Any member of the planning committee would not be happy if they found that planning for 18 bed student accommodation was being considered within a stones throw of their property; and
- (7) Building works have started when planning permission has not yet been granted.

COMMENTS ON REPRESENTATIONS RECEIVED:

The objections are noted and considered in the conclusions. The impact of development on property values is not a material planning consideration. There is also no grounds to reduce Council Tax for affected residents. It is likely that the building works referred to were in connection with the permission for conversion to flats which has had its pre-commencement conditions agreed and has the benefit of Building Regulations.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - no objection, comment:

- No concerns with the access or visibility splays.
- Highly sustainable location within an 8 minute walk from Bognor Regis Town Centre.
- The existing 2 parking spaces will be retained.
- There appears to be 6-7 informal vehicle parking spaces in front of the public house.
- There are no waiting / loading and no parking enforceable restrictions in place to protect unsafe parking on the highway.
- No concerns raised to the proposal for no parking from a safety aspect.
- The bin store can be accessed by refuse vehicles.
- There is sufficient cycle storage provision; and
- Request a condition to secure the cycle parking.

WSCC INFRASTRUCTURE - request a payment of £351 towards the supply and installation of additional fire safety equipment/smoke alarms to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

ADC ENVIRONMENTAL HEALTH - no objection subject to conditions re internal noise levels, contamination and construction management.

ADC PRIVATE SECTOR HOUSING - no objection and advise a number of points as regards fire safety, internal room sizes, ventilation and safety of balconies which will be relevant for when a license is applied for.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary.

Pagham Harbour Zone B.

Adjacent to Class A Road.

Building of Character.

Currently Flood Zone 1.

In part, Future Flood Zone 3a (by 2111).

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

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

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

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM2	ENV DM2 Pagham Harbour
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
HSP4	H SP4 Houses in multiple occupation
QEDM1	QE DM1 Noise Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
RETDM1	RET DM1 Retail development
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
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

[West Sussex Waste Local Plan 2014:](#)

West Sussex Waste W2 Safeguarding Waste Management Sites

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#)

Delivery of the Vision

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
SPD9	Buildings or Structures of Character

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. Policy 1 of the Bognor Regis Neighbourhood Plan (BRNDP) is relevant insofar as it relates to development concerning non-designated heritage assets.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with the Arun Local Plan in that it is located within the built up area boundary, also located within a highly sustainable location, that there are no policies in the development plan to protect public houses and that the proposal would not cause demonstrable harm to the character of the area, to the amenity of neighbouring residents, or result in a severe impact on the local highway. The proposal also makes appropriate provision for the protection of Pagham Harbour. There are two minor policy conflicts (future flood risk & infrastructure) and these are identified in the conclusions section below.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE:

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

The National Planning Policy Framework (NPPF) advises planning decisions should promote and support the development of under-utilised land, especially if this would help to meet identified needs for housing (para 120d). Para 125 states where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure developments make optimal use of the potential of each site. Higher densities will be encouraged for city/town centres and other locations that are well served by public transport.

The property was formerly used as a public house. ALP policy RET DM1 sets out policy on retail development within the district however, it does not provide any protection to existing public houses whether inside the town centre or outside. Although, not a policy requirement, BR/82/19/PL was accompanied by details of how the property was marketed and this indicated that it was vacant for two years. The loss of the public house has also already been established by BR/82/19/PL. As such, there is no reason to withhold permission on the basis of the loss of the public house/commercial use.

Due to the Council's current HLS shortfall, it is necessary to give due weight to proposals that seek to maximise the potential of sites, particularly those within sustainable BUAB locations.

PLANNING POLICY ON HMOs:

The proposal, whilst described as student accommodation, would allow for future occupation as an HMO. It is necessary to consider ALP policy H SP4 which states that planning applications for houses in multiple occupation (HMOs) will be favourably considered where the proposal contributes to the creation of sustainable, inclusive, and mixed communities and meet the following criteria:

- a. Do not adversely affect the character of the area including eroding the balance between different types of housing, including family housing.
- b. Do not contribute to the generation of excessive parking demands or traffic in an area; and
- c. Provide adequate areas of open space.

The development will support the local community by providing student accommodation to help meet future needs, support local educational institutions, create/maintain construction jobs and result in additional spending in the local area by future residents.

The character of the area will not be significantly harmed as although this is a residential area, there are three care homes nearby which are similarly intensive residential uses. There is also still a prevalence of family housing in the area. Design and heritage impact are discussed elsewhere.

The Councils Parking Standards SPD does not contain any standards relating to student accommodation. WSCC Highways raise no objections in respect of parking and state that the site is highly sustainable such that residents will not need to own a car to access shops, services and the University buildings. It is clear that the proposed use has been designed to be car free and so a condition will be imposed to require a management plan to set out measures to prevent students bringing a car to the site. This is in line with previous permissions granted for student accommodation in the area including but not limited to BR/270/18/PL and BR/270/16/PL. This is also in accordance with the comments of the Town Council. Notwithstanding, the scheme also includes 1 cycle storage space per student bedroom thus providing an alternative to the use of the car or walking.

The policy does not define what level of open space is adequate and the Councils Design Guide only provides standards for flatted accommodation. The scheme includes a rear courtyard and the site itself is located in easy reach of nearby public parks and the seaside.

Therefore, the proposal is in accordance with this policy.

FLOOD RISK:

The site falls within flood zone 1 which is a low-risk area. However, as per the Councils Strategic Flood Risk Assessment (SFRA) the site is shown as being partly flood zone 3a by the year 2111.

ALP policy W DM2 refers to the sequential test, Flood Risk Assessment and mitigation. Policy ECC SP1 states development must be located & appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding.

Government guidance states a sequential site assessment is required where a site is at high risk of current or future flooding. Para 162 of the NPPF states the sequential approach should be used in areas known to be at risk now or in future from any form of flooding. Para 159 NPPF states development 'should be made safe for its lifetime without increasing flood risk elsewhere.' Para 33 (Reference ID: 7-033-20140306) of the Planning Practice Guidance states it should not normally be necessary to apply the sequential test to development in proposals in FZ1 (and with a low probability of flooding from rivers or the sea) unless the flood risk assessment indicates there may be flooding issues now or in the future (for example by climate change).

It is the Councils policy in such a situation to require a sequential site assessment to demonstrate there are no other suitable locations for the development in areas not affected by future flooding. The applicant has not provided a Sequential Assessment and the Design and Access Statement does not consider climate change either. Thus, there is a policy conflict. However, it is material that the application concerns an existing building which has the benefit of an extant permission for conversion to flats with accommodation on the ground floor. Furthermore, the predicted risk assumes no sea defences and would only occur if the existing sea defences at Bognor Regis were not maintained which would appear to be unlikely as it is a major population centre. On this basis, the harm associated with future flooding would be diminished.

There is conflict with ALP policy W DM2 and the NPPF, but material considerations serve to outweigh this conflict.

HERITAGE ASSETS:

The application property is designated by the ALP as a Building of Character and so is classed as a non-designated heritage asset. ALP policy HER DM2 requires that buildings of character be extended/altered sensitively and that such works respect its architectural, landscape or historic interest. Interest features

should be preserved. BRNDP policy 1 requires that proposals affecting designated and non-designated heritage assets should demonstrate how proposed changes will support the delivery of relevant BRNDP objectives and the vision for Bognor Regis.

The Council's "Buildings or Structures of Character" supplementary planning document states that the building has been included because it meets the following criteria:

- (2) is an extremely good example of traditional or established style, or unusual type.
- (3) contributes towards the local townscape or has important historical associations.
- (4) is largely intact and not adversely affected by later extensions or alterations; and
- (5) makes a positive contribution to its surroundings/the street scene.

Para 203 of the NPPF states in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposal does make some changes to the building including most notably the removal of a rear extension and the raising of the eastern part of the building. However, there will be no loss of the heritage asset itself and the proposals demonstrate that the overall appearance of the building will be preserved (in particular, the new first floor extension maintains the subservient nature of this part of the building) and through the renewal of the building, there is overall enhancement. It is positive that chimneys are to be retained and this reflects advice given at pre-application stage prior to BR/82/19/PL.

The proposal will result in the reuse of a currently vacant building, and this will have economic and social benefits which outweigh any harm to the significance of the asset. Overall, it is considered that the proposal complies with the guidance in the NPPF, with policy HER DM2 and with policy 1 of the Bognor Regis Neighbourhood Development Plan.

DESIGN & CHARACTER:

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.

Section J of the Arun Design Guide refers to 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. Roof extensions should not be visually intrusive or block light into surrounding properties. They should not detract from the character and appearance of the building and local area.

The proposed first floor side extension will be set down by 0.72m and will result in this part of the building being subservient to the existing western part (host building). Furthermore, the proposed drawings demonstrate that the proposed external works will sympathetically relate to and visually integrate with the existing building through the use of matching materials, design and form.

The proposed development will be in keeping with the character and appearance of the host building and the street scene and as such there is no conflict with ALP policies D DM1, D DM4 or D SP1.

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 Arun Design Guide sets out guidance on interface distances between dwellings and these are: 21m for back-to-back, 16m for front to front and 14m for front/back to side.

The proposed extension does not increase the built footprint or raise the height higher than the ridge of the main building. There is a road and associated on-street parking area in between the building and the windows on neighbouring buildings. To the front (south) is the flank elevation of a care home with first and second floor windows. The distance varies between 12.5m and 17m due to the orientation of the care home but this is acceptable given that there was already living accommodation on the first floor of the public house. To the east, there is a distance of 23m to the facing residential windows. There is varied interface to the flank of the care home building to the North, but it is at least 19m and again this represents an existing residential to residential situation.

Due to there being no enlargement of the footprint or overall scale, there will be no adverse impacts on the amenity of neighbouring and future occupiers, therefore, the proposal complies with ALP policies D DM1 and QE SP1.

The Councils Environmental Health officer has not raised any objections regarding noise from the use affecting existing residents. A condition is to be imposed to require approval of a management plan designed to mitigate and prevent excess noise from the property as associated with the student use. However, it must be acknowledged that this is a residential use in a predominantly residential area and so is clearly appropriate.

QUALITY OF ACCOMMODATION:

Both the ALP policy D DM2 and the Design Guide require that new residential development provide sufficient internal living space to ensure a decent standard of amenity for future occupants. However, the national standards do not provide any relevant guidance for students and as the proposal includes shared kitchen/dining accommodation, it is not appropriate to apply the standards for a 1 bed flat.

The Councils Private Sector Housing Team has stated that room sizes should meet the minimum standards for houses in multiple occupation but also that any property that has 5 or more people sharing facilities will require a license from the Council and the property must meet minimum standards. As this is covered by separate legislation, it is not a material planning consideration and does not require assessment through this planning application. Private amenity space has been considered elsewhere.

HIGHWAY SAFETY:

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.

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."

Parking has already been discussed elsewhere. It is material that the building was previously used as a public house. This use would have attracted both customers arriving by car or on foot and regular deliveries (food and beer) and so the new use would not result in a materially greater number of movements to/from the site parked vehicles/vehicle movements than the previous use. WSCC Highways raise no objection to the use and so the proposal accords with Policy T SP1.

WASTE SAFEGUARDING:

The site is part within a 500m buffer area of a safeguarded waste site defined by the West Sussex Waste Local Plan (2014). Policy W2 of this Plan states that development should not prevent or prejudice the use of an existing waste management site. The site is right on the edge of the buffer and approx. one quarter of the building lies outside of the buffer. It is also material that this is an existing building with no proposed increases in footprint. On this basis, there is no policy conflict.

TELECOMMUNICATIONS:

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

CLIMATE CHANGE/SUSTAINABLE CONTRUCTION:

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 proposal does not set out any details to demonstrate compliance, but this can be achieved through an appropriate planning condition.

BIODIVERSITY:

ALP policy ENV DM5 requires proposals achieve a net gain in biodiversity and protect habitats on site. The application is not accompanied by an ecological appraisal but existing buildings in high density urban areas tend to have low potential as habitat for protected species therefore this is acceptable. However, it is still necessary to demonstrate biodiversity net gain. As there is no response from the applicant on this, it is proposed to impose a condition to require that suitable bird boxes be placed on the building. This would satisfy policy requirements.

PAGHAM HARBOUR:

ALP policy ENV DM2 requires residential developments in 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 £871 per new unit was agreed by the Council's Cabinet on 10 April 2017. The site lies in the designated Zone B and in accordance with previous advice from Natural England, the contribution has been calculated in accordance with the same approach to student accommodation as the Bird Aware Solent strategy.

As pets are not allowed in student accommodation and around half of major disturbance events recorded in the Solent were from instances where dogs were off a lead, a 50% reduction in the tariff is appropriate. To achieve a consistent approach, 5 student bedrooms should then be treated as one residential dwelling. The contribution has been calculated by dividing the number of bedrooms by 5 and then by 2. The contribution will be £1,132.30 and this is secured by the completed section 106 agreement.

Notwithstanding, Arun DC are also required by planning law to carry out an Appropriate Assessment (AA) to assess the impact of increased recreational disturbance arising from the proposal on the Pagham Harbour Special Protection Area (SPA) & Ramsar Site. An AA was issued to Natural England for review on the 9th of May 2022 with a request for a response within 10 days. A copy of the AA is on the council's website. Natural England have not responded to agree the Council's assessment, but it is material that they have previously accepted the council's position in relation to other residential schemes in the Bognor Regis area where a contribution has been secured. As such, there is no conflict with policy ENV DM2

SUPPORTING INFRASTRUCTURE:

ALP policy INF SP1 requires development proposals provide or contribute towards the infrastructure & services needed to support development to meet the needs of future occupiers and existing community. WSCC have requested a financial contribution of £351 towards the supply and installation of fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

This contribution is necessary to make the development acceptable in terms of ALP policy INF SP1, is directly related to the needs of the development (with the contributions required to meet the demands of - and mitigate the impacts of - the development) and is fairly & reasonably related in scale and kind. The council has previously secured fire safety contributions of a similar scale on other student accommodation permissions in the Bognor Regis area (such as BR/270/18/PL, 104 beds = £1,560 and BR/311/18/PL, 176 beds = £2,640), however no contribution was requested for application BR/270/16/PL for 25 beds.

A s106 legal agreement has already been completed concerning the Pagham Harbour payment and the requirement to include the £351 fire payment was missed off. It would not be possible to use a planning condition to require the contribution (other than to prevent commencement until a second legal agreement had been completed). Given the small amount and the fact that one was not requested for the BR/270/16/PL development, it is appropriate to not require this contribution in this instance and so whilst there is thus conflict with policy INF SP1, there are material considerations to outweigh this.

SUMMARY:

The proposed development represents an efficient use of a currently under-utilised urban brownfield site and there is no objection in principle to the development. The development will make an effective use of land whilst reflecting the characteristics of the site and local area. There are some policy conflicts, but material considerations exist to outweigh these. The proposed development would represent a small boost to the Council's current HLS shortfall, meets the definition of sustainable development and an approval would accord with paragraph 11c of the NPPF. The proposal is therefore recommended for approval subject to conditions and the signed s106 legal agreement.

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

INFORMATIVE: This decision has been granted subject to the preparation and completion of a s106 legal agreement relating to a financial contribution being made for the protection of Pagham Harbour Special Protection Area.

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:

Location Plan - 100.
Block Plan - 102; and
Proposed Floor Plans, Elevations and Section - 104 Rev A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies QE SP1, D DM1 and T SP1 of the Arun Local Plan
- 3 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - a) An indicative programme for carrying out of the works;
 - b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
 - c) Measures to minimise the impact of noise (including vibration) generated by the construction process on nearby sensitive receptors - to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise

mitigation barrier(s);

d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;

e) The parking of vehicles of site operatives and visitors;

f) Loading and unloading of plant and materials, including permitted times for deliveries;

g) Storage of plant and materials used in constructing the development;

h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);

j) Measures to control the emission of dust and dirt during construction;

k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety in accordance with policies QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 4 Prior to the commencement of the development hereby approved, a scheme to demonstrate that 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 and 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. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the accommodation and be retained thereafter.

Reason: To protect the amenity of future occupants in accordance with policy QE DM1 of the Arun Local Plan. This is required to be a pre-commencement condition because some measures may need to be built into the fabric of the building and the building is already above damp proof course (DPC) level so that cannot be used as a trigger instead.

- 5 Before the student accommodation hereby permitted is occupied a bin store shall be provided as part of the development in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof. The approved bin storage enclosure or space shall thereafter be permanently retained.

Reason: To ensure sufficient refuse facilities and to safeguard the appearance of the development & the amenities of the area in accordance with policies D DM1 and WM DM1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with detailed plans and details to be submitted to and approved by the Local Planning Authority. Such cycle storage spaces should thereafter be permanently retained in good working condition.

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

- 7 None of the new student accommodation shall be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 8 No part of the development shall be occupied unless and until the applicant has submitted a Student Accommodation Management Plan for approval in writing by the Local Planning Authority which seeks to set out controls on the use of the property in the interests of the amenity of local residents and must in particular include provisions to ensure that students residing at the site do not bring a car to the site which they then park on local streets. No part of the site shall be occupied until this management plan has been fully agreed and implemented. There shall be no deviation from the approved management plans without approval in writing from the Local Planning Authority.

Reason: To ensure that local parking facilities are not adversely affected and to protect the amenities of nearby local residents, nearby businesses and the new residents within the proposed accommodation in accordance with policies T SP1, T DM1, QE DM1 and QE SP1 of the Arun Local Plan.

- 9 Prior to the occupation of any of the new student bedrooms, 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.

- 10 No part of the development shall be first occupied until full details of the placement of two suitable bird boxes on the building 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.

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

- 11 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site. In addition to these hours of working the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 12 The materials and finishes of the external walls and roofs in the resultant converted & extended building hereby permitted shall match in colour and texture those of the existing building.

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

- 13 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by 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.
- 14 INFORMATIVE: This decision has been granted subject to the preparation and completion of a s106 legal agreement relating to a financial contribution £1,132.30 for the mitigation of the Pagham Harbour Special Protection Area.
- 15 INFORMATIVE: This property will, when occupied, become a House in Multiple Occupation and will need to comply with the relevant fire safety and fitness for occupation standards under current Housing Acts. The applicant is advised to contact our Environmental Health Private Sector Housing Team for further information.
- 16 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.
- 17 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.
- 18 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents via <https://beta.southernwater.co.uk/infrastructurecharges>.