

Recommendation Report for Planning Permission

REF NO: BR/64/25/PL

LOCATION: 3 and 4 Queens Square
Bognor Regis
PO21 1SA

PROPOSAL: Change of use from 2 No. separate adjoining bed and breakfast accommodation units (each having owners accommodation, communal lounge and dining areas at ground floor and 7 No. B&B bedrooms at first and second floors) to 9 No. flats. This application is in CIL Zone 4 (Zero Rated) as flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks permission for the change of use from two separate adjoining bed and breakfast accommodation units (each having owners accommodation, communal lounge and dining areas at ground floor and seven B&B bedrooms at first and second floors) to nine flats.
	The scheme has been amended during the application, with the original description pertaining to the change of use to ten units. This has been reduced to nine units to provide sufficient internal space for occupiers.
SITE AREA	0.1ha.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	100 dwellings per ha.
SITE CHARACTERISTICS	Pair of semi-detached two and half storey properties, currently in use as separate Bed and Breakfast accommodation. Previously in use as ten individual flats (described by BR/166/15/PL as HMO units). Each has individual amenity space to the rear with vehicle parking and access to William Street. Shared green space and vehicle access to the front, in use also by 5 and 6 Queens Square.
CHARACTER OF LOCALITY	Mostly residential in the immediate vicinity, with mixed use within the wider area. Retail and commercial uses are along London Road to the west, with St Mary's RC Primary School to the east.

RELEVANT SITE HISTORY

BR/166/15/PL	Change of use of properties from 10 HMO units to 2no separate bed & breakfast accommodation units each having owners accommodation & communal lounge & dining areas at ground floor & 7 B&B bedrooms at first & second floor	ApproveConditionally 05-10-15
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REPORT_1011(ODB)

Relevant planning history noted. This application seeks to revert the property to its use prior to the application in 2015, with a reduction in previous units from ten to nine.

REPRESENTATIONS

Bognor Regis Town Council - Objection:

- Concerns regarding the lack of parking. It is considered that parking should be provided for each flat.
- No cycle parking or electric vehicle (EV) charging has been identified.
- Concerns regarding what fire regulations are in place for this number of flats in a condensed area.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. Issues regarding cycle parking and EV charging can be resolved via a condition. Fire regulations are a matter for Building Regulations.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC ECONOMIC REGENERATION:

No objection.

ADC ENVIRONMENTAL HEALTH:

No objection.

ADC PRIVATE SECTOR HOUSING:

No objection. General advice regarding housing conditions and adhering to non-planning regulations and guidance.

ADC PARKS AND LANDSCAPES:

No objection. S106 contributions to provision of Public Open Space and Play requested.

WSCC LEAD LOCAL FLOOD AUTHORITY (LLFA):

Initial objection but reverted to no objection following reconsideration of the application and its nil increase in footprint.

SUSSEX POLICE:

No objection.

WSCC HIGHWAYS:

No objection subject to conditions securing cycle parking.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Requested conditions applied below. The S106 contributions requested by ADC Parks and Landscapes no longer apply as the application has been amended to only create nine units. This falls short of the ten unit threshold trigger for Open Space contributions.

POLICY CONTEXT

Built Up Area Boundary
 TPO (TPO/BR/2/02)
 Pagham Harbour Zone B
 Article 4 Direction
 Economic Growth Area
 2km Buffer for Site of Special Scientific Interest
 CIL Charging Zone 4

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TOUDM1	TOU DM1 Tourism related development
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

<u>Bognor Regis Neighbourhood Plan 2015 Policy 1</u>	Delivery of the Vision
Bognor Regis Neighbourhood Plan 2015 Policy 6	Key gateways and promotion of sustainable travel
Bognor Regis Neighbourhood Plan 2015 Policy 8A	Design Excellence
Bognor Regis Neighbourhood Plan 2015 Policy 8B	Car Parking

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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

POLICY COMMENTARY

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

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 it would have no adverse harm to visual, residential or highway amenity, flooding and drainage, biodiversity or the character of the area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that it would have no adverse harm to visual, residential or highway amenity, flooding and drainage, biodiversity or the character of the area.

(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 to be weighed in the balance with the Development Plan.

CONCLUSIONS

BACKGROUND

This application seeks planning permission for the reversion of 3 and 4 Queens Square, from two B&Bs, to nine flats.

BR/166/15/PL granted permission for the change of use of properties from ten HMO units to two separate bed & breakfast accommodation units each having owners accommodation & communal lounge & dining areas at ground floor & seven B&B bedrooms at first & second floor (Class C1 use). Whilst this description refers to ten HMO units, it is understood from the covering letter accompanying this application that the units were not originally HMOs, and were individual flats; as all units were self-contained and did not share facilities with each-other. The proposed floor plans approved by BR/166/15/PL were not built out. It is understood a Bed and Breakfast format was adopted. The buildings have been in use as C1 since permission was granted.

This permission seeks to change the building back to its previous established use up to 2015, with the exception of one less unit. It is necessary to highlight this, as the development would not be introducing a new use to the area, and has historical precedent.

PRINCIPLE

The site benefits from being in the Built-Up Area Boundary (BUAB) in which the principle of residential redevelopment is acceptable.

Paragraph 11(c) states that development proposals that accord with an up-to-date development plan should be approved without delay. 11(c) is relevant in this case as the proposal falls within the BUAB and will be determined under an active adopted Local Plan, in accordance with ALP policy SD SP2.

LOSS OF TOURIST ACCOMMODATION

Policy TOU DM1 of the ALP concerns tourism related development and states that proposals for a change of use that leads to the loss of a visitor accommodation will not be granted planning permission unless it is demonstrated that the use is no longer required and the site is unlikely to be reused or redeveloped for visitor purposes. To demonstrate these requirements, the Council will require:

- e. that alternative visitor uses have been fully explored;
- f. an appraisal indicating that the use is no longer viable;
- g. evidence that the site has not been made deliberately unviable; and
- h. evidence of the suitability of the site to accommodate the alternative use.

This proposal reinstates a previous use which was established on site up until 2015. ADC Economic Regeneration provided a 'no comment' response, as the accommodation was not star rated for holiday use. The properties use as a B&B is not considered as high value holiday accommodation, and not of such significance that its retention is of priority to the Economic Regeneration team. Its loss is not of such harm that it would have unacceptable impact on the tourism industry within the town.

It is not necessary for the application to be accompanied by evidence of viability, and its loss is acceptable given that it is returning to its previous use.

VISUAL AMENITY AND CHARACTER

Policy D SP1 of the ALP requires that development proposals should make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish, and architectural details.

Policy D DM1 of the ALP sets out a 15 point criteria against which the design of new development should accord with. Policy D DM4 of the ALP provides a 5 point criteria against which development for alterations to existing buildings shall be assessed.

Arun adopted a Design Guide (ADG) which provides detailed guidance that will help raise design standards across the district.

As the proposal is solely a change of use with no external works, the development would result in no alteration to the visual appearance of the property. As such, there would be no impact to the visual appearance, design or composition of the surrounding street scene. The proposal will only include internal works to convert two units in to one (Flat 6).

The change of use would result in some alteration to the character of the property. At present the site comprises two B&Bs. The B&Bs are not congruent with its neighbouring properties; in that a number of the surrounding buildings have been converted to residential flats, or remain as a single dwellings. 5 and 6 Queens Square each comprise 7 No. flats as an example. The character of the surrounding area is more heavily residential, than it is short term tourist / visitor accommodation. The conversion to ten residential flats would be more in keeping with that of its neighbouring properties, and reflective the prevailing character of the local area. The change of use would result in a character which is more appropriate than the existing use, and would integrate sympathetically with the locality.

The proposal would have no adverse impact on the character of the area, and is in accordance ALP policies D SP1 and D DM1, the ADG and the NPPF.

RESIDENTIAL AMENITY

ALP policy D DM1(3) requires the consideration of impacts of neighbouring amenity such as loss of sunlight, privacy and outlook and unacceptable noise and disturbance. There are no physical changes to the property, and as such the only matter for consideration in respect of residential amenity is noise and disturbance.

Policy QE SP1 of the ALP requires all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact on residential amenity. Policy QE DM1 seeks to protect against the impacts of new noise generating development.

The current use as a B&B comprises the same internal arrangement as the previous ten individual units (as the previous approved plans are understood to not have been built out). This arrangement will remain the same, with the exception of two units on the first floor which are to be combined into one. This is with a potential occupancy of up to 18 occupants, under the assumption that each bedroom is likely to serve a maximum of two occupiers.

Whilst there would often be occasions where the B&Bs would not be at full capacity, the potential occupancy when full is higher than that of the nine self contained flats. The associated noise and disturbance created by the B&Bs would additionally be different in nature to permanent residential use, as the properties would accommodate differing numbers of occupiers at any time, each with their own individual movements on and off the site. This would result in the site varying in levels of noise pollution and disturbance; rather than having generally consistent noise levels from permanent residents within the proposed flats. Whilst all occupiers of the flats would have individual movements, it is anticipated there would be more routine to these movements, and less variation in intensity. Therefore, the consistency in the noise pollution would result in less disturbance to neighbouring properties, and would be more reflective of the noise produced by other dwellings within the surrounding area. This change of use would subsequently be a betterment in respect of noise pollution.

A Noise Impact Assessment (NIA) has been submitted. Environmental Health raise no objection having reviewed the contents of this NIA. There are no technical reasons for refusal in respect of noise. It is not anticipated that the change of use would have an adverse impact to the quality of the environment, nor the residential amenity of neighbouring occupiers. There would be a change in the nature of the noise and disturbance produced by the proposal, however this would not be detrimental, and would be comparative to the noise pollution created by neighbouring properties.

The proposal is in accordance with ALP policies D DM1, QE SP1 and QE DM1, and the NPPF.

SPACE STANDARDS

Policy D DM2 of the ALP requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs.

The following floor areas are proposed for each flat:

- Flat 1 (1 bed studio) = 34sqm
- Flat 2 (1 bed) = 42sqm
- Flat 3 (1 bed studio) = 30sqm
- Flat 4 (1 bed) = 60sqm

- Flat 5 (1 bed) = 75sqm
- Flat 6 (1 bed) = 46 sqm
- Flat 7 (1 bed studio) = 30sqm
- Flat 8 (1 bed) = 39sqm
- Flat 9 (1 bed) = 60sqm

The Nationally Described Space Standards (NDSS) requires that for a 1 bed 1 person unit, a minimum floorspace of 39sqm (37sqm in the case of a shower room), should be provided. Three of the nine proposed units fail to meet this minimum standard. It is necessary to consider whether the floorspace provided for these three flats is sufficient to meet the requirements for Policy D DM2, or whether this shortfall warrants reasonable justification to refuse the application.

Policy D DM2 of the ALP requires internal spaces to be an appropriate size, and identifies that the NDSS will provide guidance. However, this is with the exception of those cases referred to in para 13.3.4. These are cases where development schemes cannot comply with the NDSS (such as the conversion of an existing building), and will be considered on a case-by-case basis. This application concerns the conversion of an existing building, returning the building back to its previous use as flats. It is understood the arrangement of these flats is only changing for one unit, and so the scale of the retained units have been appropriate for use in the past. The two units being combined to create one has been considered necessary, as the original proposal under this application included two flats each with floor spaces of 23sqm. This fell significantly short of the NDSS minimum requirement. As it could not be conditioned that these flats would remain single occupancy to ensure residents were provided with an adequate level of amenity and a good quality living environment, amendments were agreed with the applicant to combine these units to create a unit measuring 46sqm.

Were BR/166/15/PL never applied for or implemented, the buildings would still be in use as ten flats, with the dimensions for the flats being as they are shown on the submitted plans. Therefore, returning to their previous form in this case is determined to be acceptable, despite three units falling short of the NDSS guidance. Refusal on this basis is not considered to be justified nor reasonable, given these dimensions have previously been appropriate for occupation. The merits of the proposal in this case outweigh this minor conflict.

Part H of the ADG provides a guideline that communal shared spaces, such as shared external amenity space, should be at minimum 40sqm, plus 10sqm for each unit (a total of 90sqm). This would mean the minimum space provided would need to be 130sqm. The communal amenity land to the front of the property, and within easy accessibility of the residents, will total approximately 450sqm. Subsequently, the site exceeds the requirements of Part H, and is acceptable.

The proposal is in accordance with ALP policy D DM2, and Part H of the ADG.

HIGHWAYS, PARKING AND ACCESS

Policy T SP1 of the Arun Local Plan requires development to incorporate appropriate levels of parking in line with West Sussex County Council guidance on parking provision, taking into consideration the impact of development upon on-street parking.

The Arun Parking Standards SPD sets out parking requirements for developments, and was adopted in January 2020. Principle 1 2.12 stresses that parking provision should be sufficient to accommodate demand whilst exploiting the potential for sustainable travel, minimizing adverse effects on road safety, and avoiding increased on-street parking demand. Principle 2.13 advises: 'If parking could reasonably be expected to take place in existing streets, then it will be necessary to demonstrate through a parking capacity survey that there is sufficient capacity to accommodate the expected parking demand.'

Policy 8b of the BRNDP states that major developments should demonstrate that they do not impact on existing capacity of public highways to accommodate parking.

For properties in Zone 4, one bed residential dwellings are required to provide one space to accord with the Arun Parking Standards. This would attract a total requirement of nine residential parking spaces on site. Eight spaces are proposed to the rear amenity space; all of which are accessed via existing driveways on to William Street, each with dropped kerbs. This attracts a shortfall of one space across the site, which would need to be accommodated off-site. There is some on street parking in the locality, however this is limited. WSCC Highways have been consulted during the application period and raised no objection. The proposal is sustainably located, in walking / cycling distance of local service, amenities, and public transport connections. Should all residents require a car for commuting or further journeys there is enough on-street parking provision in the locality to allow for one more car in the area, without significant impact on the highway network or its safety. This is acceptable, and in accordance with T SP1 of the ALP, and policy 8b of the BRNDP.

The Arun Parking Standards sets requirements for the provision of secure and covered cycle parking. Nine spaces would be required, for a bicycle space to be provided for each unit. Details for cycle parking on the site have not been provided at this time. The site has sufficient external space to accommodate secure and covered cycle parking, and details of this cycle parking to be submitted to the council will be secured below via condition.

The Arun Parking Standards sets a minimum requirement for the percentage of parking spaces with active EV Charging Points to be 30% by 2023 for all developments. By this requirement, 2.4 no. EV Charging Points should be provided on site. Given the use of the site and level of parking provision, the provision of 2 no. charging point would suffice. This will be secured below via a condition.

Subject to compliance with conditions, the application is in accordance with ALP policies T SP1 and T DM1, BRNDP policy 8b, Arun Parking Standards and the NPPF.

FLOODING AND DRAINAGE

Para 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) as appropriate to the size of development.

The proposal is in Flood Zone 1, and is not subject to any flood risk which would have adverse impact to lives and property. Therefore, the lack of a submitted flood risk assessment is not of concern.

As the proposal concerns an existing building, the existing systems regarding surface water and foul water will be retained. Given the comparative intensity of the previous use of the property in terms of the number of people using the building at one time, the retention of the existing systems will be sufficient and acceptable for sustained use by around 13 occupiers. No objection has been received from the LLFA.

The proposal is in accordance with Arun Local Plan policy W DM3.

BIODIVERSITY

ALP policy ENV SP1 states Arun District Council encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. The Council will ensure, through policy ENV SP1, that the intrinsic features of particular interest are safeguard or enhanced. Policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site.

Biodiversity Net Gain became mandatory for major development from 12 February 2024, requiring that all new developments provide 10% BNG on or off site. This is subject to any exemptions. As the proposal is for a change of use, it is subject to the 'de minimis' exemption, as it would not be affecting more than 25m² of onsite habitat, or any priority habitats. Therefore, it is not necessary for the development to demonstrate 10% BNG.

No ecological enhancements are proposed as part of the application. In order to secure biodiversity gain on site in line with ALP policy ENV DM5 and ENV SP1, a condition will be applied below requiring the installation of a bird box to the external wall of the building. This shall be placed facing either east or south-east.

PAGHAM HARBOUR

The site falls within Pagham Harbour Zone 4 and as such is subject to a S106 agreement to secure financial access management contributions towards Pagham Harbour. This contribution is currently set at £962 per new residential unit.

As the property is changing from a B&B to residential dwellings, it has been necessary to work out the existing number of dwellings currently on site from the average occupancy of the B&B, and substitute this from the proposed number of dwellings. In this case, a bespoke calculation has been made, based loosely upon the methodology used to calculate hotel S106 contributions, as it is understood that the B&B was in use as an informal arrangement where 10 No. self contained units were served breakfast by the owners. Therefore, the calculation is based upon the average occupancy of the 10 No. self contained units.

The average occupancy has been calculated using the expected occupier capacity of the existing unit sizes, and under the understanding from the applicant that there was 100% occupancy at all times (as such consideration of varying business and leisure use throughout the year is not applicable):

- 1 living / bedroom studio = 1 occupier (5 total = 5 occupiers)
- 1 bedroom flat = 2 occupiers (4 total = 8 occupiers)
- 1 bedroom and 1 living / bedroom flat = 3 occupiers (1 total = 3 occupiers)

The above average finds a total occupancy of 16 occupiers. In order to calculate the equivalent number of dwellings, this number of occupiers is divided by 2.2 (the 2018 average occupancy rate as per Arun's Open Space SPD).

$16 / 2.2 = 7.27$ dwellings (existing)

Therefore, to calculate the total contribution required:

9 dwellings (proposed) - 7.27 dwellings (existing) = 1.73 dwelling increase.

$1.73 \times \text{£}962 = \text{£}1664.26$

As such, the S106 Access Management Contribution is £1664.26.

The application has been accompanied by a draft S106 Agreement, and this is being checked by the ADC Legal department. Subject to securing the £1664.26 through the S106 agreement, there will be no conflict with policy ENV DM2.

SUSTAINABLE CONSTRUCTION

Policy ECC SP2 requires all new residential and commercial development to demonstrate how it will be energy efficient.

The proposal seeks the reuse and repurposing of an existing structure. In light of the sustainable reuse of an existing building, and improvements to the fabric and efficiency of the structure, it is not necessary to impose a condition requiring details of 10% energy generation on site from renewable sources such as PV panels.

The proposal is acceptable in regard to ALP policy ECC SP2.

WASTE MANAGEMENT

The proposal would provide two external bin stores on to the east and west sides of the properties, within easy accessibility from the street. This would allow for a safe, secure, and sustainable space for waste to be managed on site, and one which would also not impede on the amenity of those living in the building. This is acceptable and in accord with WM DM1.

SUMMARY

The proposed change of use would present a sustainable conversion of two existing C1 properties to create nine C3 residential units. This is of modest benefit to Arun's Housing Land Supply; of which the Council cannot demonstrate a 5 year supply (this is currently 3.41 years). The development would be a reversion to its historical use, and as such would restore previously lost residential accommodation within a town centre location. This is a highly sustainable location within the Built Up Area Boundary, and as such the principle of development is supported in line with ALP policy, and para 11(c) of the NPPF.

The development is in accordance with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

RECOMMENDATION

The recommendation is that the Planning Committee delegate the decision to the Group Head of Planning, in consultation with the Chairman or Vice Chairman, with authority to:

Grant permission subject to the conditions and informatives as set out in the report and subject to the satisfactory completion of a section 106 Agreement to secure financial contribution for Pagham Harbour, with any minor amendments authorised by the Group Head of Planning.

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 to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been 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 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

A S106 accompanies this application, and requires the undertaker to pay £1664.26 for the purpose of delivering mitigatory actions at Pagham Harbour. This is to be paid on commencement of the development. A draft Unilateral Undertaking has been received, and is awaiting confirmation of completion from the ADC Legal Team.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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 Drawing 1
Block Plan Drawing 2
Proposed Site Plan Sheet 3
Proposed Floor Plans 5A

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

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

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

- 4 A bird box shall be fitted to the external wall of the building prior to occupation and shall be permanently maintained in good working condition as such thereafter. The bird box shall be attached at first floor level and positioned facing either east or south east.

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

- 5 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 6 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.

- 7 **INFORMATIVE:** This decision has been granted in conjunction with a Section 106 legal agreement relating to the payment of £1664.26 for the purpose of delivering mitigatory actions at Pagham Harbour. This binds the applicant to have paid on Commencement of the Development.

- 8 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).