

Recommendation Report for Planning Permission

REF NO:	BR/86/20/PL
LOCATION:	Aldwick House Care Home 41-45 Nyewood Lane Bognor Regis PO21 2SJ
PROPOSAL:	Part change of use from a 32-bed nursing home (C2 Residential Institutions) to a 38-bedsit House in Multiple Occupation (sui generis) comprising 24 No single person & 14 No two-person bedsits along with separate shower rooms & wcs, demolition of rear conservatory & store & erection of single storey rear extension & with minor external alterations to side elevations & insertion of 4 No roof lights on rear elevation & insertion of dormer window serving Room 38 (as detailed in amended plans dated 30 April 2020).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Change of use from a 32 bed nursing home (C2 residential institution) to a 38 room bedsit House in Multiple Occupation (sui generis) comprising 24 no. single person and 14 no. two-person bedsits with separate shower rooms/WCs, demolition of rear conservatory and store and erection of single storey rear extension and with minor external alterations and insertion of 4 no. roof lights on rear elevation.
SITE AREA	0.1 hectares.
BOUNDARY TREATMENT	The east and north boundaries comprises low lying boundary walling and footpath. The south boundary comprises built development hard up against the internal access road used for limited vehicular parking and rear access to adjacent plots. The west boundary comprises some boundary planting and vegetation in the form of tree lining.
SITE CHARACTERISTICS	32 bed nursing home in the C2 residential institution Use Class. The building comprises 4 no. terraced dwellings; though through various permissions these buildings have been consolidated into a single use regularised through planning permission BR/212/91 for C2 use.
CHARACTER OF LOCALITY	The site is on the corner of the residential street known as Nyewood Lane. It is surrounded by streets which are predominantly in residential use. Within a 200m of the site are 10 properties registered as HMOs which support 58 people. Other permissions in the locality permit the use of existing single residential households to apartment and maisonettes. The character of the locality has increased density derived from recent conversions of housing stock into smaller household types.

RELEVANT SITE HISTORY

BR/308/09/	Extension to Dayroom, infill to existing storm porch	ApproveConditionally 16-02-10
BR/305/07/	Conservatory to rear	ApproveConditionally 22-11-07
BR/212/91	Change of Use from Guest House/private residence to nursing home bedrooms (to be used in connection with adjoining building, The Nyewood Centre)	ApproveConditionally 16-10-91

None relevant.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

OBJECTION: Object on material planning grounds of access and highway safety, including access for emergency vehicles. Proposals contribute to the generation of excessive parking demands and increased traffic movements in contravention of Policy H SP4 of the Local Plan.

The proposals appear to make no provision of smoking facilities leading to concerns of noise pollution, nuisance and disturbance, resulting from residents of the bedsit potentially using public open spaces in the surrounding area, thereby not meeting the requirements as set out in Policy D DM1, in relation to impact, of the Arun Local Plan.

Difficult to justify the amount of residential building and consider the proposals to be over-development as a result of the layout and density of the buildings, with concern expressed about the refuse generated from this number of residential units.

Cllr MATT STANLEY (3 letters of objection)

As Ward Councillor I request this application goes before the Development Control Committee.

THIRD PARTY REPRESENTATIONS:

62 objections including from Nyewood Estate and Sunnydale Park Estate Residents Association:

- Change to the area;
- Parking and highway safety;
- Balance of housing typologies in nearby area/proliferation of HMOs;
- Parking of construction traffic vehicles;
- Emergency vehicle access;
- Company appears to be a holding company with no company accounts;

- Rubbish and waste management;
- Noise disturbance in the street;
- Building suffers from asbestos;
- Current retail and infrastructure would not sustain the residential influx anticipated;
- Breach of Human Rights legislation;
- Inadequate outside space at the property;
- Environmental pollution will result;
- Environmental standards of the proposed development;
- Development does not include a warden.

COMMENTS ON REPRESENTATIONS RECEIVED:

Impact on highways has been assessed by the Local Highways Authority in their consultation response. Impacts deriving from smoking could be addressed by way of condition designating a smoking area. Over-development is addressed in the subsequent sections of this report.

CONSULTATIONS

Conservation Officer
Arboriculturist
Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning
Sussex Police-Community Safety
NHS Coastal West Sussex CCG
Parks and Landscapes
Environmental Health
Historic England
Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

ARUN DISTRICT COUNCIL HMO OFFICER:

- Room sizes should meet minimum standards for housing in multiple occupation comprising 10.2 sqm (1 person bedsit with cooking facilities) and 15 sqm (2 person bedsit with cooking facilities).
- It could not be determined if sufficient natural lighting would be available in rooms 36, 37 & 38. Room 38 does not appear to have windows with only roof lights. This is not considered acceptable.

WEST SUSSEX COUNTY COUNCIL (HIGHWAYS)

- Do not consider application causes material highway safety or capacity issues, no objection raised.
- There would be enough on-street parking for the proposal should there be demand which given the nature of the site will likely be on the lower end of the scale rather than the worst-case scenario.
- Pedestrian footfall is likely to increase however the site is in a residential location with excellent footways of circa 1.5m and pedestrian crossings are at junctions which may be difficult to cross.
- Residential travel plan helps keep the site as sustainable as possible and 40 cycle storage shelters helps encourage less car use and achieve the 5% reduction target over the 5-year travel plan period.

ARUN DISTRICT COUNCIL CONSERVATION OFFICER

- Proposal will not harm significance of the non-designated heritage asset. It should be determined in

accordance with policies in the Development Plan, and comments in consultation response.

ARUN DISTRICT COUNCIL SURFACE WATER DRAINAGE

- No conditions requested. Alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

HISTORIC ENGLAND

- We don't consider that it necessary for this to be notified to us under the relevant statutory provisions.

SUSSEX POLICE LOCAL POLICING SUPPORT TEAM

- The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their functions with due regard to the likely effect on the prevention of crime and disorder. Adherence to Secured By Design features detailed in the response should be secured.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

- 2km Buffer for Bognor Reef SSSI
- Built-up Area Boundary
- Locally Listed Buildings/Structures of Character
- 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
EMPDM1	EMP DM1 Employment Land: Development Management
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM2	ENV DM2 Pagham Harbour
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HSP4	H SP4 Houses in multiple occupation
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QESP1	QE SP1 Quality of the Environment
WMDM1	WM DM1 Waste Management

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

POLICY COMMENTARY

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

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. There are no policies contained within the Bognor Regis Neighbourhood Plan that implicate upon 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 does not comply with relevant Development Plan policies in that the creation of a 32 bedroom HMO results in a development that would adversely affect the character of the area and result in excessive parking demands in the area. The development fails to provide adequate area open space.

OTHER MATERIAL CONSIDERATIONS

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

The submission details that the Council's absence of a 5 year housing land supply comprises a material consideration of substantial weight in the consideration of the development. The Council's Planning Policy Team confirm that a proposal for a HMO in a sui generis use class contributes a single additional dwelling towards the Council's annualised housing targets. The benefits delivered in accordance with the additional supply of housing have been considered in this context.

CONCLUSIONS**PRINCIPLE**

The development results in the loss of a Care Home in Use Class C2 (Residential Institution). The submission details that the C2 use comprises employment for c. 40 persons on a full time and part time basis. It is considered to be an employment generating use.

Policy EMP DM1 (ALP) seeks to actively retain existing employment sites. At the request of the Local Planning Authority, the applicant submitted marketing evidence which demonstrated that the premises has been marketed for the period of in excess of 12 months for C2 uses. No viable prospects of an occupant were received through this period for the existing use. The site is understood to have not been made unviable to permit redevelopment either. On this basis the loss of the C2 Care Home use is considered acceptable.

Policy H SP4 (ALP) states where applications for houses in multiple occupation are not covered by permitted development rights, they will be favourably considered where proposals contribute to the creation of sustainable, inclusive and mixed communities and meeting the detailed criteria.

In applying this criteria to development proposals, para 12.5.1 of the Local Plan makes clear that 'it is important to ensure that mixed and balanced communities are developed so that situations where existing communities become unbalanced by the narrowing of household types towards domination by a particular type, such as shared housing, are avoided.'

Paragraph 12.5.5 of the Local Plan also makes clear that 'larger households tend to generate more refuse, regardless of whether the property is occupied by a single family or in multiple occupation.'

a. Do not adversely affect the character of the area including eroding the balance between different types of housing, including family housing;

The applicant's Planning Statement details 10 properties registered as HMOs in a 200m radius of the site. These properties support 58 people. The proposed HMO, owing to its mix of bedroom sizes, could accommodate a population increase of c. 52 persons. If approved, within a 200m radius, c. 100 persons would be supported by HMO accommodation.

The applicant's statement details that there have been a number of permissions granted in the nearby area for residential to flatted accommodation. It is clear a significant proportion of properties in a 200m radius of the site comprise small scale housing which has resulted from conversions.

Whilst it is acknowledged there is not a significant number of HMOs in the area, balanced against the context of numerous flatted developments, the provision of a further HMOs which could support a further 52 persons results in a substantial increase of population in an already densely populated area; owing to the housing mix in contrast to the aims of criteria (a) of Policy H SP4 of the Local Plan.

The result of this increase in population adversely affects the character of the area. In principle, each HMO room functionally operates as its own self-contained residential unit of accommodation. It would generate its own waste requirements, own deliveries from couriers and own food deliveries.

The LPA acknowledges that the physical quantum of development is comparable to the existing C2 use; however, its functional operation is materially different. Care Homes operate in a more controlled and holistic manner with single deliveries serving the whole building for food, a significantly reduced number of courier deliveries and visiting persons to residents being strictly controlled. This is in significant contrast to the functional operation of HMO buildings.

b. Do not contribute to the generation of excessive parking demands or traffic in an area;

It is noted, and assessed in following sections below, that no wider adverse highways impacts would result and no objection has been raised by WSCC Highways. However, the LPA is required to assess any impacts upon amenity deriving from the parking demands created.

It is acknowledged the methodology underpinning the consultation response derives from the localised Census data on households and car ownership. It does not take into account the local pressures for on-street parking. It fails to reflect the need for overspill car parking from nearby streets and transport demands generated by nearby neighbouring properties.

Whilst the LPA acknowledges that a parking capacity survey has been undertaken which details adequate parking, this relies on the assumption that users of the HMO will always benefit from the conditions observed at the time of the capacity assessment. Whilst nearby on street parking in a 200m radius had sufficient capacity to dissolve increased parking demands at the time of the assessment, the preference of users will be to seek free on-street parking where available as close to the property as

possible. This results in increased pressures, in terms of amenity, in the nearby area.

The LPA, owing to local knowledge of the District, and supplemented by photographic evidence provided by third parties through the consultation period, is aware that on-street parking in the local road network are severe. On the basis of the above, the LPA considers the development results in the generation of excessive parking demands resulting in demonstrable harm to the amenity of the locality; contrary to criteria (b) of Policy H SP4 of the Local Plan.

c. Provide adequate areas of open space

The development features only a small area of private amenity space to the rear. All other amenity space is forward of the primary elevation fronting the roadside. The area of rear private amenity space would be used for the 20 space Amazon Eco Two Tier Cycle shelter and laid to paving. The character of this space would be one of a functional thoroughfare used for occupant's parking up their bikes.

The area would not provide a secluded, quiet and tranquil area which the character of private amenity space should provide. The development seeks for approximately 52 persons to occupy the building whilst providing little to no usable amenity space of private value. The development would fail to provide adequate amenity space contrary to criteria (c) of Policy H SP4 of the Local Plan.

On the basis of the above, the development is in conflict with Policy H SP4 of the Local Plan.

NEIGHBOURING AND PUBLIC AMENITY

Para 12.5.4 of the Local Plan makes clear that 'many properties are capable of accommodating a modest increase in occupancy, as a way of meeting the increasing demand for HMOs and other conversions. However, the number of tenants is unlikely to remain fixed over time and increased occupancy may well give rise to noise and disturbance and a greater demand for off-street parking'.

Policy QE SP1 (ALP) requires the LPA to ensure that development does not have a significantly negative impact upon residential amenity.

The site falls in the setting of a number of streets including Richmond Avenue, Neywood Place, Nyewood Lane and Wood Street which comprise mainly residential properties. The existing C2 Care Home Use accommodated c. 40 bed spaces which would have comprised a low key form of accommodation. Persons are typically confined to the premises requiring care which is part and parcel of the C2 use. The C2 form of accommodation means persons are not accessing the building regularly, demand for outside open space is minimal and noise generation is low. Persons occupying C2 developments typically lack mobility which means movements to and from the property are limited. Opportunities for visiting are strictly controlled to neighbourly times and hours which ensures such activities are compatible with the residential setting.

In contrast, a HMO supporting c. 52 persons would result in a demonstrable increased level of activity. This would be apparent at the entrance and exit points of the building, amount of noise generation from each individual bedsit which would be audible from each window opening of the rooms and stopping and starting of vehicles for both visitors, drop offs and deliveries. Unlike the C2 use which benefits from controls by management regarding visiting hours, minimal requirement for outside space etc, a HMO use would result in an increased demonstrable level and nature of activity.

These impacts would be worst at maximum occupancy. The applicant submitted evidence detailing occupancy of comparable developments in the applicant's portfolio of similar HMO sites. These typically achieve an occupancy of 90% plus. On this basis, the Council considers the level of activity associated with this amount and intensity of development, which derives from the quantum of development and

likely occupancy levels of 90% plus, combined with the site's proximity to nearby residential properties, will result in an adverse level of harm that is both significant and demonstrable.

The development fails to safeguard amenities of neighbouring residents, due to the increased population on the site and associated activities and would be contrary to Policy QE SP1 of the Arun Local Plan.

DESIGN AND VISUAL AMENITY

Policy D SP1 (ALP) requires development to make efficient use of land but reflects 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 (ALP) sets out a 15 point criteria against which the design of new development should accord with. Criteria 1 requires development to reflect or improve upon the character of the site and surrounding area.

The development proposes a number of minor development works including demolition of the rear conservatory and store, erection of a single storey rear extension, minor external alterations to the side elevations, insertion of 4 no. roof lights on the rear elevation and insertion of 1 no. dormer window serving Room 38. For the most part, these alterations are on non-public elevations. Where these works are located on public elevations they are not considered to be overt additions/alterations.

Taking the above factors into account, the development would reflect the character of the site and surrounding area and would accord with Policies D SP1 and D DM1 of the Arun Local Plan.

HIGHWAYS, TRAFFIC AND PARKING

Policy T SP1 (ALP) requires development to reduce the need to travel by car by identifying opportunities to improve access to public transport services whilst making provision for safe access to the highway network. Policy T SP1(f)(iv) requires development to incorporate facilities for charging electric and plug-in hybrid vehicles. Policy H SP4(b) makes clear the provision of HMOs should not contribute to the generation of excessive parking demands or traffic in the area.

Paragraph 108 of the National Planning Policy Framework (NPPF) states that in assessing specific applications for development it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 109 (NPPF) states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

A parking beat survey was undertaken using the Lambeth Methodology. This concluded that during an overnight period there is a good number of parking spaces free for use with 30% of spaces unused. The Lambeth Methodology relies upon a survey of spaces within a 200m radius of the site. However, in the LPA's experience people do not necessarily look for spaces within a 200m radius and seek to park as close to their home as possible.

Due to a proliferation of smaller household typologies (and commensurate increase in population density) demand for parking has increased considerably which has led to amenity issues deriving from parking demands. Such amenity issues have involved anti-social blocking of driveways and overspill parking on roads which have prevented emergency service vehicles from using nearby streets.

Whilst it is acknowledged that spaces exist within a 200m radius, the likelihood of the future occupants of the building utilising them, is somewhat limited. In the LPA's experience this results in anti-social parking behaviours which impact upon local public amenity. The applicant has no legal mechanism that can be used in conjunction with the Local Planning Authority within the planning process, to ensure any vehicles connected with the development will be parked in a suitable location.

The Arun Parking Standards 2020 have no specific category for HMO use but at Table 3.1 shows the Expected level of Parking provision for residential development. In Zone 4 it is one parking space for a 1 bed unit with one to 3 habitable rooms.

Whilst the LPA acknowledges there is no technical objection in terms of highways safety or parking capacity, Local Plan policies require a balanced judgement to be taken in regard to impacts deriving from parking upon public amenity. Owing to the above, significant weight is given to the third party representations which, combined with LPA Officer knowledge, considers the parking demands generated lead to adverse impacts upon public amenity, contrary to Policy T SP1 of the Local Plan.

TREES, LANDSCAPING AND BIODIVERSITY

Policy ENV DM4 (ALP) requires that where there are trees on or adjacent to a development site, developers shall be required to provide land and tree surveys, a tree constraints plan and an arboricultural impact assessment to include a tree protection plan and arboricultural method statement. Policy ENV DM5 (ALP) requires development schemes to, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not).

The Site Plan details the retention of all specimen trees across the site. Whilst existing areas of grass are proposed to be paved over, the biodiversity value associated with these areas could be offset through other mitigation measures secured via condition.

Taking the above into account, the development would protect existing trees on and adjacent to the development site and would deliver biodiversity and habitat net gains; in accordance with Policies ENV DM4 and ENV DM5 of the Arun Local Plan.

BIN STORAGE

Policy WM DM1 (ALP) requires residential development to ensure that kerbside collection is possible for municipal waste vehicles and, where possible, communal recycling bins and safe storage areas to be available.

The site plan details 3 x 1100L general waste bins and 3 x 1100L recycling bins. This would likely address the maximum anticipated occupancy of the development; however, the Local Planning Authority would seek to secure an appropriate enclosure and confirm capacities by way of discharge of condition, should planning permission be forthcoming.

The location of the bin store is adjacent to Richmond Avenue and seeks to rely upon drive-by collections. The dragging distance appears to be acceptable on bin collection days; however, in its current format, the storage of bins in this location would result in impacts upon wider visual amenity. For the reasons outlined above, details regarding an enclosure for the bin store could be secured via discharge of condition, should planning permission be forthcoming.

Taking into account the above, the development accords with Policy WM DM1 of the Arun Local Plan.

LOCALLY LISTED BUILDINGS

Policy HER DM2 (ALP) requires proposals for the alteration or extension of buildings on the Local List to be expected to relate sensitively to the building or structure and its setting and respect its architectural, landscape or historical interest. Locally listed buildings do not form part of the statutory list and therefore comprise non-designated heritage assets. Paragraph 197 (NPPF) requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application.

The application falls in the setting of a number of locally listed buildings; however, due to the modest nature of the proposed operational development, the development would not impact on its significance. Therefore, no balancing act under the paragraph 197 NPPF tests would be required.

The development preserves the features that contributes to the interest of the building in accordance with Policy HER DM2 of the Arun Local Plan and paragraph 197 of the NPPF.

SITE OF NATIONAL IMPORTANCE FOR NATURE CONSERVATION

Policy ENV DM1 (ALP) requires development to have an adverse effect on land with the designated features of any Site of Biodiversity or Geological Importance as listed in Tables 17.1 - 17.7, will not normally be permitted.

The application seeks to utilise an existing building in the a built up area which falls in the 2km Buffer of the Bognor Reef SSSI. The site does not possess any of the designated features of the Bognor Reef SSSI and, owing to nearby preferential areas of amenity space, is unlikely to have an adverse effect on the Bognor Reef SSSI.

On the basis of the above, the development accords with policy ENV DM1 of the Arun Local Plan.

SITE OF EUROPEAN IMPORTANCE FOR NATURE CONSERVATION

Policy ENV DM2(i) (ALP) requires all new residential development within Zone B (0-5km) which is likely to have an impact on Pagham Harbour will be required to make developer contributions towards the agreed strategic approach to access management at Pagham Harbour.

The applicant provided a S111 Unilateral Undertaking providing the appropriate developer contribution towards the agreed strategic approach in accordance with Policy ENV DM2(i) of the Arun Local Plan.

SUSTAINABLE DEVELOPMENT

Paragraph 7 (NPPF) makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 (NPPF) outlines the three objectives of sustainable development comprising economic, social and environmental objectives.

The economic objective requires the right type of land is available in the right places and at the right time to support growth. This assessment has detailed how the proposed development comprises a type of development which is incompatible with its location. It follows that the proposed development fails to be located in the right place. Therefore, the development fails to deliver the economic objective.

The social objective seeks to support a range of homes to meet the needs of present and future generations which support health, social and cultural well-being. The assessment has detailed that there is a disparity between small-subdivided housing types and family housing and has detailed how this has resulted in associated impacts upon public and neighbouring amenities. Therefore, the development would fail to deliver the social objective.

The environmental objective requires developments to make an effective use of the land. For the reasons outlined in this assessment the development would result in an intense form of development that results in impacts upon neighbouring and public amenities, which comprises an ineffective use of land. The development therefore fails the environmental objective.

Taking the above factors into account, the development fails to deliver sustainable development under the three objective (paragraph 8) and therefore fails to contribute to the achievement of sustainable development (paragraph 7).

SUMMARY

This report has assessed the development against the policies against the Development Plan in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended). It has found that the development would result in adverse impacts upon public and neighbouring amenities contrary to Policies H SP4 and QE SP1 of the Arun Local Plan. The level of harm associated with these impacts is considered to be of such significance that it outweighs the benefits of the proposal. It follows that planning permission should be refused.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

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

The applicant entered into a S111 Agreement which provides £871 towards mitigation to the Pagham Harbour Special Protection Area in accordance with the agreed Strategic Access Management Framework.

CIL DETAILS

This application does not propose any increase in floor space and would therefore not be subject to Arun District Council's Community Infrastructure Levy.

RECOMMENDATION**REFUSE**

- 1 The development results in an intensification of use that adversely affects the character of the area which would affect public and neighbouring amenities, would result in the generation of excessive parking demands which would harm nearby public amenity and would fail to provide an adequate area of amenity space which would demonstrably harm the amenities of future occupants; contrary to Policies H SP4, QE SP1 and T SP1 of the Arun Local Plan.

- 2 **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 with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.