

Recommendation Report for Planning Permission

REF NO: P/35/26/PL

LOCATION: Land to East of Commonmead Barn
Pagham Road
Pagham
PO21 3PY

PROPOSAL: Construction of 2 No single storey detached dwellings (with accommodation in the roof space) along with associated car and cycle parking (resubmission following P/124/25/PL). This application is a Departure from the Development Plan and is in CIL Zone 5 and is CIL Liable as new dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct 2 No. single-storey detached dwellings with accommodation in the roof space along with associated car and cycle parking.
SITE AREA	2178 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	9.2 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There are no trees in the central parts of site, trees and hedging are found to the boundaries of site. In particular, immediately adjacent to the northern boundary there is a mature tree line.
BOUNDARY TREATMENT	Predominantly thick conifer hedging 4-5m in height.
SITE CHARACTERISTICS	The site comprises open grassland formerly used for agriculture, though this use appears to have ceased some time ago due to its separation from larger farmland areas. Recently, planning permission was granted for storage containers in the south-west corner for vehicle and boat storage, repair, and agricultural purposes.
CHARACTER OF LOCALITY	Semi-rural location with a single access drive. New-build residential estate under construction to the east of Pagham Road.

RELEVANT SITE HISTORY

P/124/25/PL	2 No single storey detached dwellings (with accommodation in the roof space) along with associated car and cycle parking (resubmission following P/9/24/PL). This application is a Departure from the Development Plan and is in CIL Zone 5 and is CIL Liable as new dwellings.	Refused 12-12-25
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P/9/24/PL	Construction of 3 No. two storey dwellings along with associated car and cycle parking. This application is a Departure from the Development plan, may affect the setting of a Listed Building, is in CIL Zone 5 and CIL liable as new dwellings.	Refused 04-04-24 Appeal: Dismissed 22-01-25
P/110/23/PL	Construction of 4 No. two-storey detached dwellings (with accommodation in the roofspace) along with associated car and cycle parking. This application is a Departure from the Development plan, may affect the setting of a Listed Building, is in CIL Zone 5 and CIL liable as new dwellings.	Refused 09-11-23

P/124/25/PL - This application sought an almost identical proposal to that of the current application but was refused on surface water drainage grounds and the lack of a Sequential Test for flood risk. The current proposal seeks to address these reasons for refusal following correspondence with the Environment Agency and revisions to the surface water drainage design.

P/9/24/PL - This application was a previous iteration of the scheme for 3 No. two-storey dwellings. It was refused on surface water drainage grounds, appealed, and dismissed on surface water drainage and heritage grounds.

REPRESENTATIONS

Pagham Parish Council - No objection:

- Provided Arun District Council is satisfied with the revised drainage information.

2 No. letters of Objection from nearby occupiers:

- Concerns that foul drainage will be treated on-site and discharge to an existing watercourse.
- One objector owns the source and the downstream section of the watercourse to which this will discharge and raises concerns regarding potential contamination/pollution.
- Concerns that the culvert to which the proposal discharges is an overflow from the pond and that making use of it will prejudice flood risk off-site.
- Noting that the neighbouring property will not grant Ordinary Watercourse Consent for the proposal.
- Identifying restrictive covenants on site.
- Loss of agricultural land.
- Potential nuisance.
- Nearby to Barfoots.
- Noting previous reasons for refusal to former applications.
- Flood risk on site.
- Loss of property value.
- Infrastructure concerns and cumulative impact with nearby developments.
- The proposal will not protect and conserve wildlife.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. All relevant planning matters are considered below.

Property values and covenants are not material planning considerations and cannot influence the determination of this application. ADC Drainage Engineers have reviewed the surface water drainage information and confirm that Ordinary Watercourse Consent will need to be obtained from West Sussex County Council rather than neighbouring properties.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSSC Highways:

- Do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.
- Conditions for cycle and car parking suggested.

Environmental Health - No objection:

- Unexpected contamination, building services and plant, and EV charging point conditions suggested.

Ecology - No objection:

- Provision of offsite credits required.
- The EIA has assessed impacts of this proposal on protected species and identified no impacts. No further surveys are required.
- The EIA recommends ecological enhancements which should be secured by condition.
- A discrepancy within the site area should be clarified.

Natural England - Further information required:

- This development is within the zone of influence for recreational pressure impacts to one or more European Sites (Pagham Harbour).
- Recreational pressures, when considered either alone or in combination with other developments, will have a likely significant effect on the qualifying features of the European Site.

Southern Water:

- Suggesting consultation with Portsmouth Water as they are the water supplier for this area.
- Advising that the Environment Agency should be consulted regarding the proposed effluent disposals.
- Advice relating to the proposed rainwater harvesting system and a condition pertaining to its use and the prevention of contamination of the water supply and discharge to the public sewer requested.
- General advice relating to SUDS, Southern Water Assets and planting, including a condition request relating to details of the tree planting.

Drainage Engineers - Objection (23/04/26)

Drainage Engineers - No objection (05/06/26):

- The FRA does not confirm the 2126 undefended tidal flood level.
- We do not object to the proposals on grounds of external flood risk.
- No objection to National Standards for Sustainable Urban Drainage Systems (NSfS) Standards 1-7.
- Rainwater harvesting is proposed.
- Infiltration is unviable, discharge to the culvert is accepted.
- A CCTV survey will be required to review the integrity of the culvert and, if necessary, identify any remedial works. A condition can address this matter.
- Ordinary Watercourse Consent (OWC) from West Sussex County Council will be required to connect to

the culvert prior to connection.

- Interception drainage is included.
- The peak outflow is in accordance with the NSfS.
- Blockage prevention is included and revised calculations show no flooding during the design storm.
- The assessment of water quality mitigation and use of permeable paving and bio-retention planters are acceptable.
- Due to the small-scale of the development and use of the site, amenity value delivered through the sustainable drainage system is not required and an Exception to Standards 5 and 6 are allowable. Bio-retention planters provide some multifunctional benefits.
- The submitted maintenance plans is acceptable.
- Conditions securing finalised details of the drainage scheme and CCTV surveys and protection/remediation works to the culvert requested.

Conservation Officer:

- The proposal will not impact the setting of Nyetimber Windmill and will not harm its significance.
- The use of high-quality, traditional materials, such as flint cobbles (rather than modern flint blocks), timber-framed windows, and handmade clay roof tiles, is essential to achieve the intended aesthetic. Failure to secure these details would undermine the design approach and weaken its ability to mitigate harm to the setting of the listed building.
- Conditions requiring full details of all external materials, finishes, and construction techniques (where relevant), including sample panels for flintwork, specifications for joinery, and roofing materials must be imposed.
- The development will cause less than substantial harm (on the lower end of the scale) to the setting of Rookery Farmhouse.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions applied where appropriate.

In respect of Natural England's response, the completion of the appropriate S.106 agreement to secure financial contribution to mitigate against recreational pressures on the Pagham Harbour Special Protection Area addresses the identified need for further information.

The site plan discrepancy raised by the Ecologist was resolved.

In respect of Southern Water's condition request relating to tree planting. All relevant planting has been identified is outlined within the submitted planting plan and is located to northern boundary of the site amongst existing vegetation. There are no known Southern Water services in that location and no further planting is proposed as part of this application. No such condition is required.

POLICY CONTEXT

Designation applicable to site:

Outside the Built-up Area Boundary.

Potential susceptibility to Groundwater Flooding ($\geq 75\%$).

Pagham Harbour Zone B.

500m Buffer for a safeguarded waste site (Seftor Farm).

Settlement Gap (Bognor Regis - Chichester).

2km Buffer for Site of Special Scientific Interest (Bognor Reef).

Partially at risk of Tidal/Fluvial flood risk in the future (2125) when accounting for climate change (undefended).

CIL Charging Zone 5.

DEVELOPMENT PLAN POLICIESArun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DSP1	D SP1 Design
LANDM1	LAN DM1 Protection of landscape character
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
ENVSP1	ENV SP1 Natural Environment
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM2	ENV DM2 Pagham Harbour
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HERSP1	HER SP1 The Historic Environment
HERDM1	HER DM1 Listed Buildings
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WSP1	W SP1 Water
WDM3	W DM3 Sustainable Urban Drainage Systems

West Sussex Waste Local Plan 2014:

West Sussex Waste W2 Safeguarding Waste
Management Sites

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
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 complies with relevant Development Plan policies in that it produces two new dwellings of suitable design with all required amenities and facilities without unacceptably prejudicing neighbouring residential amenity, the settlement gap, the character of the area, or the environment.

The proposal conflicts with relevant Development Plan policies in that it would not achieve a biodiversity net gain on site, would result in some harm to the setting of the adjacent heritage asset, and is located within the defined countryside.

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

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

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The proposal would cause less than substantial harm (on the lower end of the scale) to the setting of the adjacent Listed Building. Particular regard to the desirability of preserving the setting of the building has been had and the conclusions made are outlined in the report below.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is liable for Biodiversity Net Gain (BNG) and the following is a summary of the key points:

- Loss of 26.84% habitat units.
- Loss of 55.56% Hedgerow units.
- Provision of offsite BNG units is required.

CONCLUSIONS

PRINCIPLE

The Development Plan currently comprises the Arun Local Plan (ALP) and the West Sussex Waste and Minerals Plans. Pagham has no made Neighbourhood Plan.

Arun Local Plan (ALP) policy C SP1 states that in locations outside the Built-up Areas Boundary (BUAB), development will only be permitted for a defined list of countryside uses. This proposal does not accord

with any of the criteria.

The provisions of ALP policy C SP1 therefore, preclude residential development on the application site. The principle of development on the site is contrary to the development plan, however, given the Council's lack of a 5-year housing supply this policy is afforded reduced weight as it is considered out of date.

The NPPF is a material consideration in determining applications as is the Council's lack of a 5-year HLS. The NPPF sets out a presumption in favour of sustainable development (Para 11(d)) which for decisions, means, 11(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or...
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

DEVELOPMENT WITHIN THE SETTLEMENT GAP

ALP policy SD SP3 seeks to prevent development in the defined gaps between settlements, in this instance the Bognor Regis/Chichester gap. Development will only be permitted where it does not undermine the physical or visual separation of settlements, the integrity of the gap and cannot be located elsewhere.

The proposed development would not visually or physically undermine the integrity of the settlement gap. The site is well contained by established boundary vegetation and reads as part of an existing cluster of built form. Furthermore, when considered alongside the larger, recently approved developments adjacent to the site, which are material considerations, the addition of two dwellings would result in only a limited incremental impact. Importantly, substantial areas of open land to the north and north-west of the site would also remain, ensuring that the overall separation between settlements is preserved.

While assessment as to whether the development could not be located elsewhere has not been undertaken, it remains that the harms of siting the proposal in this location are very limited and would not undermine the settlement gap.

The proposal is in accordance with ALP policy SD SP3.

CHARACTER AND APPEARANCE

The proposal comprises two single-storey dwellings with converted roofs, gable-ended pitched roofs and offset eaves heights. The buildings would be constructed in flint with brick quoins at ground floor level, decorative string courses, timber-clad gables, exposed rafters, flat porch canopies, and clay/slate roof tiles.

The design approach draws from the adjacent converted Commonmead Barn, seeking to reflect its character and create a more organic appearance that works to integrate with the semi-rural agricultural setting. The offset positioning of the plots provides some limited reinforcement of an informal layout, which is typical of rural settlements.

The windows are indicated to match the style of Commonmead Barn; however, materials and finishes have not been specified. The application refers to differing colour palettes between the dwellings but the

extent of this variation is unclear beyond roofing materials. Finalised details of the materials and finishes are to be secured by way of condition. The Conservation Officer has emphasised that high-quality, traditional materials are essential to achieve the intended barn-conversion character, likely requiring the use of natural flint (rather than flint blocks), timber windows, and handmade clay tiles.

The layout is acceptable, with a logical access arrangement via a single straight drive that spurs off of the existing vehicular access to the wider site. Each plot includes parking, cycle storage, and Air Source Heat Pump enclosures positioned to the side or rear, along with low post-and-rail boundary treatments, all of which are appropriate.

Both dwellings benefit from generous private amenity spaces and a suitable development density. The site is well screened by mature planting and lies between existing and upcoming development, ensuring the proposal would relate to the wider built development in the area and no unacceptable impact on the wider landscape character.

The proposal is in accordance with ALP policies D SP1, LAN DM1, and D DM1.

RESIDENTIAL AMENITY

Each dwelling exceeds the minimum internal space standards for a two-storey, three-bedroom unit (as prescribed by the Nationally Described Space Standards). All bedrooms are served by windows and rooflights, providing good access to natural light and a high standard of internal amenity.

Both plots include generous rear gardens, with depths exceeding the 10.5m minimum set out in Section H.04 of the Arun Design Guide (depending on the point of measurement), and sufficient width to allow for meaningful use. These spaces would provide adequate private amenity for future occupiers.

The submitted street scenes show low post-and-rail fencing, which is appropriate to the rural character but may not provide sufficient privacy between plots. It is likely that future occupants may prefer a boundary fence/planting between the gardens that affords greater privacy. As the fencing details provided are indicative only, a condition will secure final details of boundary treatments for Plots 1 and 2 (in the layout shown on drawing PL 103).

The dwellings have a ridge height of approximately 7.1m and are set at least 7m from the eastern boundary, beyond which lie the nearest neighbouring properties. Taking into account the modest scale, set-back upper floors contained within the roofs, separation distance, and substantial existing boundary planting, the development would not result in unacceptable overbearing, overlooking, or overshadowing impacts.

While there will be some increase in activity associated with residential use closer to neighbouring properties, this is typical of such development and would not result in undue harm.

The proposal is in accordance with ALP policies D DM2 and QE SP1.

HERITAGE

The site lies immediately south of a Grade II listed building (Rookery Farmhouse) and affects its setting.

ALP policies HER DM1 and HER SP1 require development to preserve or enhance the significance of heritage assets and their settings. Chapter 16 of the NPPF sets out the approach to assessing impacts, including the need to identify significance (para. 207) and for local authorities to assess harm (para. 208).

The submitted Heritage Report confirms that Rookery Farmhouse is an 18th-century farmstead of architectural and historic interest. While it retains a relationship with surrounding farmland to the north

and west, its setting has already been affected by subdivision and the conversion of former agricultural buildings to the south and east, which are non-designated heritage assets.

There is limited intervisibility between the site and the farmhouse due to established boundary planting and fencing, although this would be increased in winter months when foliage reduces. The proposal includes the planting of native hedging to the northern boundary which would further aid in screening the site from context of the farmhouse. Nonetheless, the site does form part of the farmhouse's setting, and glimpsed views of the upper parts of the proposed dwellings would be possible above and through boundary vegetation. The proposal would introduce built form into views where the listed building is currently more visually dominant, resulting in a minor change to its setting.

Nyetimber Windmill (Grade II), located approximately 200m to the south, has a much-reduced setting due to surrounding development and limited intervisibility with the site. The proposal would not affect its significance or setting.

The Conservation Officer has considered the proposals, and overall, it has been concluded that the proposal would result in less than substantial harm to the setting of Rookery Farmhouse (at the lower end of the scale), subject to the use of appropriate materials and details. By virtue of resulting in some prejudicial impact to the setting of the adjacent listed building, the proposal is in conflict with ALP policies HER SP1 and HER DM1. However, NPPF paragraph 215 establishes that any such harms must be weighed against the public benefits of the proposal. In this instance, the construction of 2 No. new residential dwellings.

Within the wider development context surrounding this site, the mitigating factors, and considering the Council's acute shortfall in its five-year housing land supply, subject to conditions, the harm identified is outweighed by the public benefits of delivering two additional dwellings in this location. The proposal is therefore acceptable in heritage terms in accordance with paragraph 215 of the NPPF.

TREES

Policy ENV DM4 relates to the protection of trees. Informed by appropriate surveys, new development should be designed to have a comprehensive approach to trees, ensuring negative impacts are negated.

An Arboricultural Impact Assessment, tree schedule, and method statement have all been submitted with the application. The supporting information confirms that the trees and perimeter hedgerows are to be retained. One ornamental hedgerow would be removed, and some limited pruning is required to facilitate the development. Native hedge planting is proposed to the northern boundary to double as screening and compensatory planting.

Tree protection fencing is proposed during the construction of the development. The ADC Tree Officer has been unable to comment on this application. They did comment on a previous application and found no arboricultural grounds to resist the proposal. The submitted details are comparable to those received previously, and officers have not identified any significant concerns with the current information provided. All trees and perimeter hedgerows are proposed for retention, and measures for their protection have been identified.

Conditions have been attached to secure the undertaking of the development in accordance with the relevant arboricultural information.

As such, the proposal is in accordance with ALP policy ENV DM4.

DRAINAGE AND FLOODING

The recent update to Environment Agency (EA) mapping identifies limited parts of the northwest corner

of the site as falling within Flood Zone 2 and 3 during the 2075-2125 cohort when accounting for climate change (undefended scenario) and is at potential risk of groundwater flooding according to the ADC Strategic Flood Risk Assessment. The site is otherwise in Flood Zone 1 at present and has no other known sources of flood risk.

The submitted Flood Risk Assessment (Produced by UNDA, and Dated: March 2026), provides an informed assessment of both on-site and off-site flood risk. It is advised that the EA's recently updated flood mapping does not provide location specific data on how the flood extents have been calculated, but updated tidal flood data for the Arun to East Head area that was produced in 2022 by JBA Consulting, was provided by the EA to inform the Flood Risk Assessment produced by UNDA. The Arun to East Head modelling accounts for climate change, is location specific for this area, and accounts for both the higher and upper end allowances. This recent and location specific modelling which has shown that the site would remain outside of the relevant flood extents by a significant margin in 2121. The report identifies that there would not likely be a significant difference between 2121 and 2125, and it is therefore, concluded within the report by UNDA that the site would remain outside of the relevant flood zones for the development's lifetime.

A similar Flood Risk Assessment was provided in support of the previous application. The EA was contacted by the applicant and the Local Planning Authority to confirm why there was a significant discrepancy between the location specific data for this site (provided by EA) which accounted for climate change and showed the site would not be within Flood Zones 2 and 3 up to 2111, and the new EA flood maps which indicate that it would be. No response was received during the lifetime of the previous application (P/124/25/PL) and ultimately, this lead to a reason for refusal on flood risk grounds. However, following the determination, the EA responded to both parties on this query. The correspondence confirmed the following:

'At the moment the climate change 2070-2125 extent shown on the Flood Map for Planning site has been taken from the New National Model, produced as part of the NaFRA2 project. This is a wider issue and will be resolved in 2026. This climate change extent should not be used as part of site specific FRAs. The Product 4 information supplied to customer by the EA will always use the best available modelling information, including climate change, and this should be used as the basis for site specific FRAs.'

and;

"The Climate Change 2070-2125 layer on the Flood Map for Planning (FMfP) currently differs from the data supplied directly to customers by the Environment Agency (EA). The coastal Flood Zones published on the FMfP site are based on local modelling, whereas the coastal climate change 2070-2125 extents have been taken from the broadscale New National Model (NNM) produced as part of the NaFRA2 project.

These NNM coastal climate change extents are significantly larger than those derived from local modelling and should not be used to support planning decisions. When customers request model information from the EA, they are provided with local modelling where available. This explains why EA local modelling data used in FRAs can differ from the climate change 2070-2125 layer published online.

This inconsistency will hopefully be resolved in 2026. In the meantime, I recommend referring to the climate change extents used in the Arun Strategic Flood Risk Assessment (SFRA) to determine whether a site is at risk from future flooding, rather than relying on the published climate change layer on the FMfP site."

At the time of writing this report, it is unclear that the EA have resolved the inconsistency as stated. It is also of note that Arun District Council have very recently updated their Strategic Flood Risk Assessment.

The site remains outside of relevant flood extents within the SFRA, with the exception the FMfP + climate change 2070-2125 (undefended) layer which is a copy of that shown of the EA's FMfP.

As a result of the correspondence with the EA, it is taken that the flood modelling produced within the Flood Risk Assessment (Produced by UNDA, and Dated: March 2026), which has been derived from the modelling data provided and supported by the EA, is the most accurate flood risk data available for this site up to 2121. It demonstrates that the site would remain approx. 90m from the nearest relevant flood risk extent up to 2121. The topography of the land between the nearest identified extent and the site generally inclines, with the site sitting approx. 1m higher than the nearest extent. It is unlikely that the flood risk extent would increase significantly between the years 2121 and 2126, and that the site would, therefore, remain outside of the relevant flood risk extents for its lifetime.

In any event, the EA FMfP demonstrates that only a marginal part of the northwest corner of the site (minor section of the rear garden for Plot 2, would be at risk, and no dwellings, nor the access/egress for the units or the site, would be at risk. In accordance with NPPF Para 175 no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding now or in the future.

In respects of groundwater flooding, the peak groundwater levels on site have been found to be 1.02m below ground level. It is therefore, unlikely that groundwater emergence and flooding would occur on site.

On the basis the site is entirely within, and its vulnerable elements will remain, in Flood Zone 1, for the lifetime of the development, and that the development is not at any significant risk from any other source of flooding now or in the future, no Sequential Test is required in accordance with NPPF Paragraph 175.

The proposal has been supported by a surface water drainage scheme and appropriate investigations and evidence. It has been reviewed by the ADC Drainage Engineers, and no objection has been raised subject to conditions. The development will drain its surface water through permeable paving and to an existing culvert on site, for which Ordinary Watercourse Consent (OWC) is required from West Sussex County Council. The proposed surface water drainage scheme is in accordance with the relevant standards of the NSfS and is satisfactory.

The proposal is for two dwellings which will treat their foul water requirements on site via package treatment plant, a non-mains drainage system. These non-mains drainage systems are a recognised method of foul water disposal, and the treated effluent will be discharged to the existing watercourse. We are informed that the proposed foul water discharge does not require Environment Agency approval as it adheres to the general binding rules for small discharge to surface water. Meaning the proposed discharge is less than 5m³ a day, utilises a sufficient treatment system, will/is not causing pollution, is not within 500 meters of a protected site, is not within 50m of any other exempt discharge. The EA have confirmed that they do not wish to be consulted on non-major non-mains foul drainage proposals. It remains that foul discharge to surface water is covered by separate legislation within the remit of the EA.

In any event, foul water disposal will be reviewed in detail and controlled at the Building Regulations Stage, but for planning purposes, the proposal has been supported by a valid and recognised method of foul water disposal that would not result in identifiable material planning harms.

The proposal is in accordance with ALP policies W SP1, W DM2, and W DM3.

ECOLOGY AND BIODIVERSITY NET GAIN

The site currently has limited ecological value. The proposal requires the removal of an ornamental hedgerow that extends into the centre of the site and some limited pruning of the southern hedgerow. As

compensation, a new native hedgerow is proposed along the northern boundary. This is acceptable.

The development is subject to statutory biodiversity net gain (BNG) requirements and must deliver a 10% net gain. Due to the site constraints and the nature of the plots, this cannot be achieved on site. Private gardens have a limited value within BNG calculations and so the curtilage of the respective plots cannot be afforded any significant value even if planting were proposed within them. Although on-site provision is preferable, the use of offsite credits is acceptable in this case due to the site's low existing ecological value, its constraints, and the scale of development. These credits would be secured by condition.

A Preliminary Ecological Appraisal (PEA) has been provided and reviewed by the Council's ecologist, who raises no concerns. The PEA concludes that the proposal will not impact protected species and recommends ecological enhancements for the site, which will be secured by condition.

While the proposal does not achieve on-site BNG, contrary to ALP policy ENV DM5, it would deliver a 10% net gain overall through offsite provision. This, together with on-site enhancements and the proposed native hedgerow, the development would go some way to improve the site's ecological value overall. Given the site's currently limited ecological value, the harm arising from the lack of on-site BNG is afforded limited weight.

The site lies within 2km of the Bognor Reef SSSI. However, due to the scale and nature of the development, no impacts on the integrity of the SSSI are anticipated, in accordance with ALP policies ENV SP1 and ENV DM1.

ENERGY EFFICIENCY

ALP policy ECC SP2 requires all new residential development to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low carbon energy supply systems. It is acknowledged that Air Source Heat Pumps appear to be the preferred method in this case and to ensure that adequate decentralised, renewable, and low carbon energy supply systems are secured, a condition to this effect has been imposed.

The proposal is in accordance with ALP policy ECC SP2.

PAGHAM HARBOUR SPA/RAMSAR

ALP policy ENV DM2 requires residential developments in a 400m to 5km distance ('Zone B') of Pagham Harbour to make a financial contribution towards the mitigation of impacts to Pagham Harbour by way of resultant recreational pressures. A contribution of £962 per new unit is required. The site lies in the designated Zone B and the proposal results in a net increase of 2 No. dwellings. Therefore, a contribution of £1924 is required. This has been secured by way of a signed and completed S106 Unilateral Undertaking. Therefore, the proposal is in accordance with ALP policy ENV DM2.

WASTE SITE

Policy W2 of the West Sussex Waste Local Plan (WSWLP) seeks to prevent developments that would prejudice existing waste management sites or infrastructure that make an important contribution to the transfer of waste unless certain criteria are met.

The application site is within the outskirts of a 500m buffer zone from an existing safeguarded waste site (Sefter Farm), an on-farm anaerobic digestion plant. The proposal is for 2 No. additional residential dwellings amongst a cluster of existing residential properties. Given the intervening distance and the scale of the development, the proposal would not result in any disruption of the continued use of the site.

The proposal is in accordance with WSWLP policy W2.

SUMMARY

For the reasons outlined above, while the proposal conflicts with ALP policy C SP1 in that it proposes residential development outside the defined settlement boundary, ALP policy ENV DM5 in that an on-site biodiversity net gain is not achieved, and ALP policies HER SP1 and HER DM1 in that there is some prejudicial impact to the setting of the nearby Listed Building, the site is of low ecological value, a biodiversity net gain would be achieved overall, and it has been concluded that heritage impacts are acceptable in the context of NPPF Paragraph 215.

Overall, the adverse impacts of the development would not significantly and demonstrably outweigh the benefits of the proposal, nor are there any strong reasons to refuse the proposal in relation to policies in the NPPF that protect areas or assets of particular importance.

As such, Paragraph 11d(ii) directs that planning permission should be granted. The proposal is in accordance with all other relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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

The proposal has been supported by a signed and completed S.106 agreement securing a financial contribution of £1924 for the mitigation of recreational pressures against the Pagham Harbour SSSI.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required

(dependent on any exemptions or relief that may apply).

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 - PL 101. - PROPOSED BLOCK PLAN - PL 102. - PROPOSED SITE PLAN - PL 103. - PROPOSED STREET SCENE AND SECTION TO FIELD VIEW - PL 104. - PROPOSED GROUND, FIRST, AND ROOF PLANS PLOT 1 - PL 105. - PROPOSED ELEVATIONS AND SECTION PLOT 1 - PL 106 A. - PROPOSED GROUND, FIRST, AND ROOF PLANS PLOT 2 - PL 107. - PROPOSED ELEVATIONS AND SECTION PLOT 2 - PL 108 A. Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and HER SP1.
3	Prior to the commencement of development, full details of the proposed surface water drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The detailed design must be based upon and build on the surface water information submitted as part of this application. The full details submitted for approval shall include: 1. Detailed drainage plans conforming to Local Planning Authority guidance, 2. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms, 3. Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SuDS scheme, 4. A CCTV survey evidencing the integrity of the culvert, along with proposed protection or repair thereof to ensure the culvert is fit for purpose to receive design flow. The scheme shall then be constructed as per the approved plans. No building shall be occupied until the complete surface water drainage system serving that building has been implemented in accordance with the agreed details. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the Local Planning Authority. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development if required. Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan and the NPPF. This is required to be a pre commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.
4	The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling, or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development

run-off values, unless otherwise agreed, and in accordance with current policies and guidance. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Arun Local Plan policies W DM1, W DM2 and W DM3, and to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010 can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 5 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development served by that system, the developer/applicant shall submit to and have approved in writing by the Local Planning Authority, a Verification Report specifically in relation to the culvert to ensure that it is fit for purpose. This should be prepared in accordance with Local Planning Authority guidance and shall include:

- 1.A detailed completion report prepared by an independent (independent of contractor), suitably qualified engineer verifying that the system culvert has been protected and repaired (if necessary) in full accordance with documents approved pursuant to Part 4 of Condition 3,
- 2.Include post development CCTV survey of the culvert,
- 3.Any differences between the approved and constructed scheme shall be suitably challenged and addressed,
- 4.Any necessary remedial works are to be agreed and completed prior to discharge of this condition.

The completed and agreed drainage system shall thereafter be retained, managed and maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Arun Local Plan policies W DM1, W DM2 and W DM3, and to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010 can be fulfilled without additional impediment following the development completion.

- 6 No development above damp-proof course (DPC) level shall take place until details of all boundary fences have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such walls and fences associated with them and the whole site have been erected. The siting of these fences must be in accordance with the approved Site Plan (PL 103) unless otherwise agreed in writing and the approved plans amended accordingly.

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

- 7 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within Section 8 of the Ecological Impact Assessment Version 5 prepared by South Downs Ecology and dated 9th September 2025, shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

- 8 Prior to their insertion, details of the windows and doors including their design/appearance (including elevation), specification, glazing bars, glazing (system), method of opening, decorative/protective finish (i.e. stain/paint and colour) and location within the reveal, in the form of drawings and sections of an appropriate scale, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors are installed.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the setting of the heritage asset by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policies HER SP1 and HER DM1, and the NPPF.

- 9 No development above damp proof course (DPC) shall take place until a 1 square meter sample panel of flintwork has been constructed on site, including the mortar mix. This section will be inspected by the Local Planning Authority's Conservation Officer and photographic evidence of the sample panel including details of the mortar mix shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the work can proceed and the details so approved will be used within the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the setting of the heritage asset by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policies HER SP1 and HER DM1, and the NPPF.

- 10 No development above damp-proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes (excluding the sample of flintwork which is specifically covered by Condition 9) to be used for external walls and roofs of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the setting of the heritage asset by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policies HER SP1 and HER DM1, and the NPPF.

- 11 No internally or externally located plant, machinery equipment including ground or air source heat pumps shall be operated on the site until an assessment of the acoustic impact arising from the operation of all such equipment has been submitted to and approved in writing by the Local Planning Authority.

The assessment shall be undertaken in accordance with BS 4142:2014+A1:2019 and shall include a scheme of attenuation measures to mitigate the adverse impacts identified in the acoustic assessment. The scheme shall ensure that the rating level of noise emitted from the proposed building services plant is 5 dB less than the prevailing background sound level (LA90) or show compliance with current MCS 020 a) guidance.

The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter. Any agreed attenuation measures shall be permanently maintained in good working condition.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>.

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

- 12 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.

- 13 The development hereby approved shall be undertaken in accordance with the submitted Tree Retention, Protection and Planting Plan Version 6.0 (Dated: 08/12/2025).

Reason: To ensure adequate protection of established on-site and adjacent vegetation and to secure the proposed compensatory and supplementary planting which will also act as additional screening in time accordance with Arun Local Plan policies HER SP1, HER DM1, ENV DM4 and ENV DM5.

- 14 The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling and shall be thereafter permanently maintained in good working condition.

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

- 15 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 policies T SP1 and QE DM3(c), the Arun Parking Standards SPD and the NPPF.

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

identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 17 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with Arun Local Plan policy T SP1.

- 18 Notwithstanding the provisions of Classes A and B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions or roof extensions to the dwellings shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space, safeguard the cohesive appearance of the development, and preserve its associated drainage infrastructure in accordance with Arun Local Plan policies HER SP1, HER DM1, W DM2, W DM3, and D DM1.

- 19 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 20 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the NPPF.

- 21 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the payment towards the mitigation of the effects of the development on Pagham Harbour.