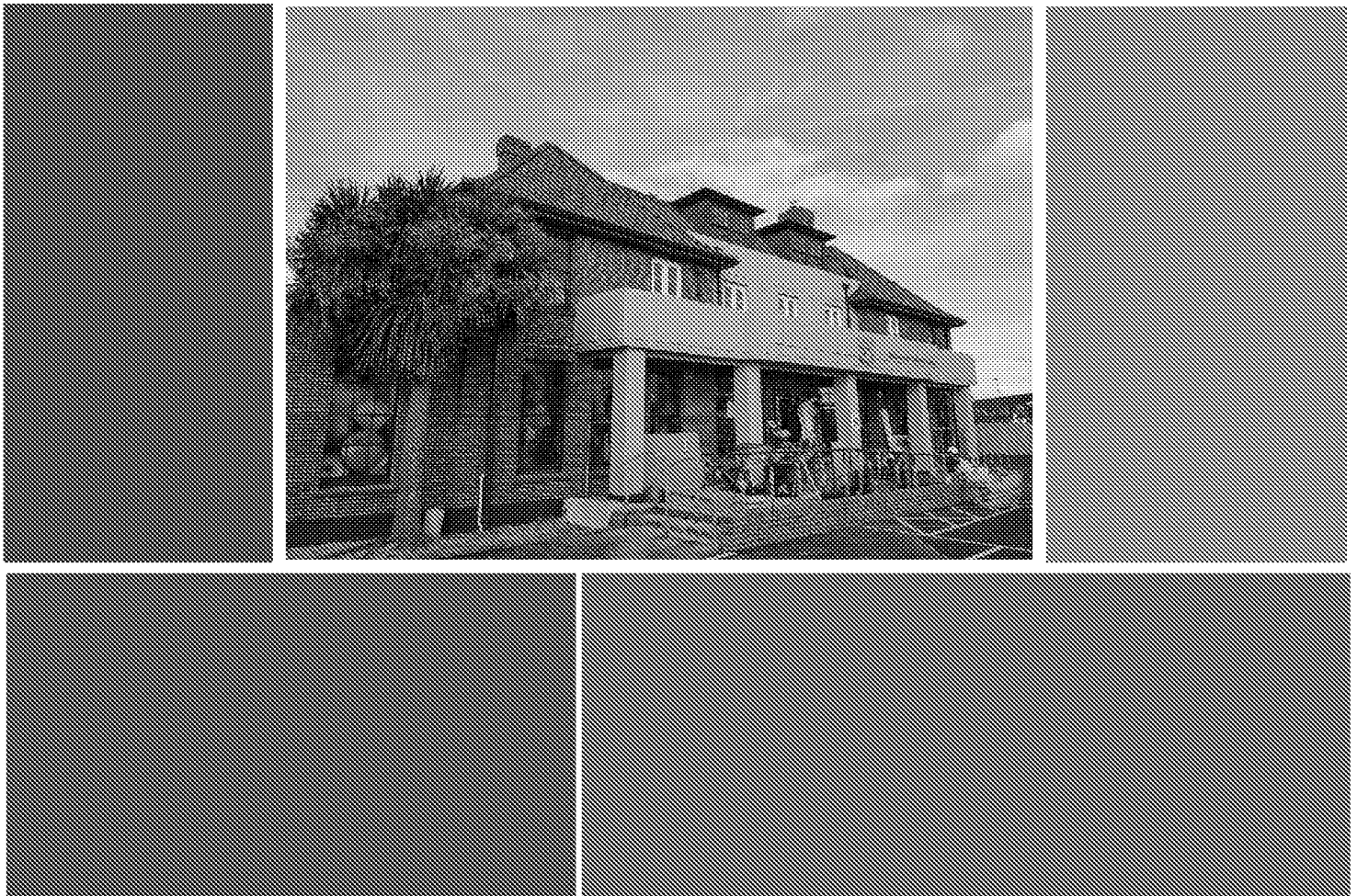


# PLANNING, DESIGN AND ACCESS STATEMENT



**Crescent Land Limited**  
**Former Kings Beach Hotel, The Parade, Pagham**

01 February 2018



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# DOCUMENT CONTROL

**Project:** Former Kings Beach Hotel, The Parade, Pagham

**Client:** Crescent Land Limited

**Job Number:** HC17023

**Document Checking**

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# 1.0 INTRODUCTION

1.1 WYG have been instructed by the applicant, Crescent Land Ltd, to prepare a Planning, Design and Access Statement in support of their planning application to Arun District Council. The application relates to a development proposal for 2 no. 2 bed bungalows and 1 no. 4 bed detached house on the site known as Land at Former Kings Beach Hotel, The Parade, Pagham.

1.2 This statement analyses the application site, surrounding areas, key policy and planning history context, and explains why the proposed development is appropriate with regards to key local policies and planning guidance, relevant planning history, and technical considerations.

1.3 Having regard to the site context, scope of this project and local validation requirements, the application pack comprises the following plans, documents and technical reports:

- Completed Application Form and Certificate B;
- Copy of Notice and Covering Letter to Landowner;
- Topographical Survey prepared by Encompass Surveys;
- Tracking Diagrams prepared by PLC Architects;
- Arboricultural Implications Assessment prepared by Ecourban Ltd;
- Information to Support an Assessment of Likely Significant Effects under the Habitats Regulations prepared by WYG;
- Drainage Strategy & Impact Assessment Prepared by Opus International;
- Phase 1 Ecological Survey prepared by Ecosupport Ltd;
- Biodiversity Checklist prepared by Ecosupport Ltd;
- Noise Impact Assessment prepared by Airtight and Noisecheck Ltd;
- Draft Unilateral Undertaking prepared by applicant;
- Architectural Drawings prepared by PLC Architects including:
  - Site Location and Block Plan - 17.3030.110-P2
  - Proposed Site Layout Plan - 17.3030.100-P3
  - House 1 Proposed Floorplans - 17.3030.101-P1
  - House 1 Proposed Elevations - 17.3030.102-P1
  - Bungalow 1 Proposed Floorplans and Elevations - 17.3030.103-P1
  - Bungalow 2 Proposed Floorplans and Elevations - 17.3030.104-P1
  - Existing and Proposed Context Elevations - 17.3030.105-P1

1.4 This Planning, Design and Access Statement has been informed by and should be read in conjunction with the above plans and documentation.

## 2.0 THE APPLICATION SITE & SURROUNDINGS

- 2.1 The application site is located on the corner of The Parade and Sea Lane in Pagham, approximately 3 miles south-west of the centre of Bognor Regis and 5 miles south of Chichester, and as such falls within the jurisdiction of Arun District Council



- 2.2 The site was formerly in use as a public house/hotel named the 'Kings Beach Hotel' which closed its doors in early 2014. Permission was later granted, following a community effort to save the pub, for the conversion of the building to Class A1 retail use in August 2015. On 23rd November 2017 the building was reopened as a Co-Op convenience store.
- 2.3 The application site covers approximately 0.15ha around the sides and rear of the existing convenience store building and car park and includes the untended land to the rear and sides of the building previously occupied by the public house's former garden, associated outbuildings and separate garages.
- 2.4 The surrounding area is generally mixed retail and residential in nature. Retail uses are concentrated around The Parade immediately to the north-east of the site, comprising mostly 2 and 3 storey units of a similar scale to the former hotel with services including takeaways, a pharmacy, barbers, newsagents, dental surgery and opticians. To the north and west of the site the development pattern is primarily residential in character and mostly occupied by bungalows and 1.5-storey residences. The site has good accessibility to Pagham Beach and yacht club located approximately 200m to the south-east along Beach Road where there is also access to a café, amusement arcade and takeaway.

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- 2.5 The application site is located immediately outside of the northern boundary of the Pagham Beach Estate Area of Special Character (ASC). Although the building itself is not formally listed, the location and orientation of the existing building on-site induces prominently noticeable views from The Parade and Sea Lane, and is deemed to make a positive contribution to the street scene and character of the village as stated in the Pagham Village Design Statement.
- 2.6 The former hotel was originally constructed in the 1930s and comprises a three-storey red brick structure with a red clay tile roof and flat roof dormers to the front and rear of the building. The site frontage on Sea Lane and The Parade is currently occupied by a large area of hardstanding which is mostly occupied by associated car parking and access ramp for the Co-Op. The application site area includes the safeguarded residual land from the previous change of use application and includes a row of garages, hardstanding and lawn patch to the west, a reserved area of hardstanding to the east, and a dilapidated and overgrown garden to the north which was previously occupied by the hotel as a beer garden.
- 2.7 The application site is positioned approximately 250m from the Pagham Harbour Special Protection Area (SPA), comprising various overlapping designations including Pagham Harbour Ramsar Site, Marine Conservation Zone (MCZ), Local Nature Reserve (LNR) Site of Special Scientific Interest (SSSI), Sites of Importance for Nature Conservation (SINC).
- 2.8 Regular bus services to the centres of Chichester and Bognor Regis can be accessed from bus stops immediately adjacent to the application site on The Parade. The Stagecoach 600 and 660 services provide regular access to Chichester (within 30 minutes) and Bognor Regis (within 16 minutes) with departure intervals every 20 minutes between the hours of 6am and 10pm.
- 2.9 Public footpaths can be accessed from Well Road to the south-west of the site where coastal paths provide walking routes around Pagham Harbour Lagoon and LNR, and connect with footpaths in the wider countryside to the north towards Chichester.
- 2.10 The site is located within Flood Zone 1 and accordingly has a low probability of flooding.

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## Photographs/views

2.11 The following photographs below show various views of the existing application site:



View north-east towards retail uses on The Parade from eastern portion of the site



View east towards residences on The Parade from eastern portion of the site



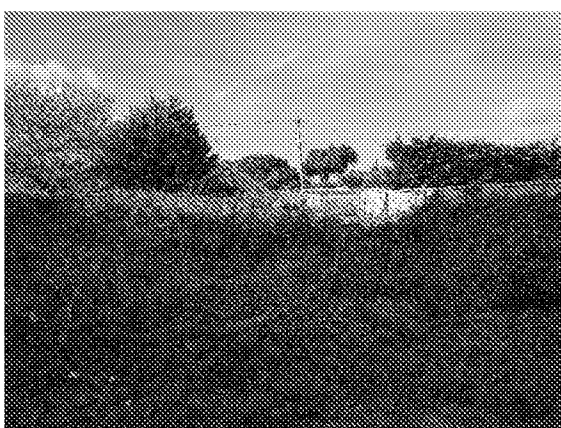
View south towards vehicle garage located on The Parade from eastern portion of the site



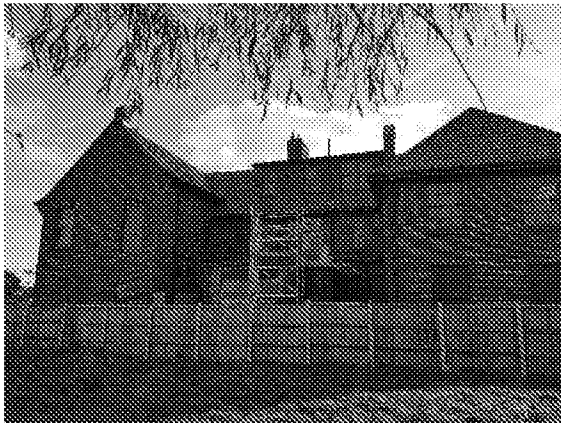
View west towards existing convenience store from eastern portion of the site



View north-west towards former pub garden from eastern portion of the site



View north-west towards residences on Sea Lane from within former pub garden



View south-east of existing convenience store from within former pub garden



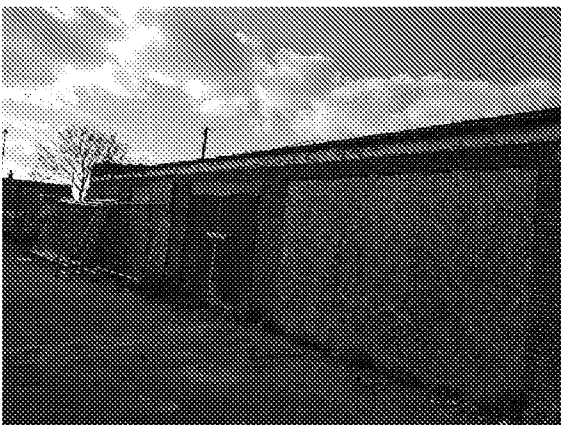
View west towards neighbouring property on Sea Lane from within former pub garden



Views south from western portion of the site towards residences on Sea Lane



View south-west of existing garages on site from within former pub garden



View south-west of existing garages from western portion of the site



View east towards existing convenience store from western portion of the site

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# PLANNING HISTORY

## 3.1 Application Site

**Application Reference:** P/42/14/PL

**Description:** Change of use from hotel (C1 Hotel) to shop on ground floor (A1 Shops) to include new front entrance ramp and new entrance door.

**Outcome:** Appeal dismissed on 16.04.2015.

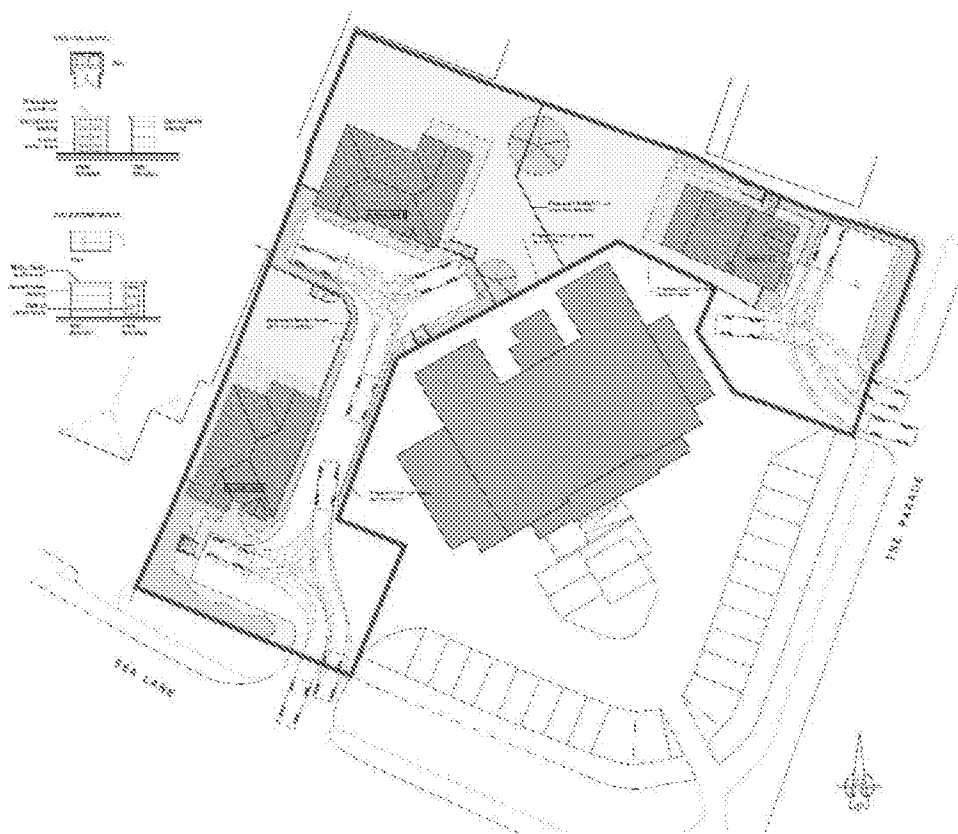
**Application Reference:** P/59/15/PL

**Description:** Change of use from hotel (C1 Hotel) to shop on ground floor (A1 Shop) & external alterations to include new front entrance ramp, new entrance door & associated works. Resubmission following P/42/14/PL.

**Outcome:** Approved on 26.08.2015.

## 4.0 THE APPLICATION PROPOSALS

- 4.1 This development proposal seeks to achieve planning permission for the erection of 3 new dwellings on the remaining brownfield land surrounding the existing convenience store on the former Kings Beach Hotel Site.



Existing Convenience Store

- 4.2 The erection of three dwellings are proposed for the residual land surrounding the Co-Op (0.15ha) currently separated from the convenience store site by 1.8m timber fencing. The proposals will result in the shared use of the existing access points to the convenience store located on Sea Lane and The Parade.

Proposed Dwellings

- 4.3 The current application proposals seek to make better use of this redundant dilapidated site surrounding the convenience store by way of its redevelopment and introducing 3 new dwellings. The proposed dwellings will comprise 2 No. 2-bed bungalows on the north-western half of the site and 1 No. 4-bed detached 2.5-storey dwelling to the east.

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- 4.4 The proposed development site is bound by residential dwellings on Sea Lane and St Thomas Drive, many of which comprise bungalows or one and a half storey units. The site is also bound by the designated local centre 'The Parade' to the north-east, where buildings comprise a mixed use two storey block with commercial uses on the ground floor and residential above. To reflect the surrounding character of the area and emulate existing building heights, the proposed 4-bed 2.5-storey dwelling (141m<sup>2</sup> GIA) is sited on the eastern portion of the site whilst the 2 bungalows (74m<sup>2</sup> and 82m<sup>2</sup> GIA) have been proposed on the western boundary so not to detrimentally impact neighbouring properties. In order to blend with the prevalent style of building design and reinforce local distinctiveness, the proposed dwellings will be constructed to reflect the general characteristics of the immediate area.
- 4.5 The rear garden space of the proposed dwellings include a garden depth of 15.4 m and a total garden area of 170m<sup>2</sup> for the 2.5-storey dwelling, and garden depths of 8.8m and 10.5m and total garden areas of 250m<sup>2</sup> and 100m<sup>2</sup> respectively for the proposed bungalows.

#### *Access, Parking, Servicing / Deliveries*

- 4.6 Access into the site is achieved via the existing access points which serve the convenience store situated on Sea Lane and The Parade. The access located on Sea Lane will best serve the two bungalows on the western boundary of the site, whilst the access on The Parade will serve the proposed 2.5-storey dwelling. Bordering the western boundary of the convenience store is a proposed residential road to access the bungalow at the rear of the site.
- 4.7 The proposed dwellings have been provided 2 parking spaces each for the bungalows, and 3 spaces for the 4-bed dwelling, each with sufficient turning space provided on site to allow vehicles to exit the site in forward gear without conflicting with the existing access to the convenience store.
- 4.8 Refuse and cycle storage has been provided within the curtilage of each property. For the two bungalows, the refuse storage is located at the front of the property adjacent to parking and manoeuvring spaces whilst cycle storage has been located within the respective rear gardens. For the 2.5-storey dwelling, however, both refuse and cycle storage is provided beyond the rear garden access gate.

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## 5.0 PLANNING POLICY CONTEXT

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, in the determination of planning applications, decisions are made in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The site lies within the jurisdiction of Arun District Council where the Development Plan comprises the saved policies of the Arun District Local Plan 2003. Policies within the Arun District Local Plan 2003 expired in 2007 and the Council is currently in the production of a new Local Plan. Following the Local Plan's expiry in 2007, the Secretary of State has granted consent for multiple policies from the Local Plan to be saved until they are replaced by new policies in the Emerging Local Plan. In addition, the National Planning Policy Framework (NPPF) and Planning Practice Guidance form material considerations in the determination of the application, as well as various supplementary planning documents.

### **National Planning Policy Framework**

- 5.3 The National Planning Policy Framework (NPPF) was published in March 2012 and establishes a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 5.4 Paragraph 7 confirms that there are three dimensions to sustainable development – economic (building a strong, competitive economy); social (providing the supply of housing required to meet needs and creating a high quality built environment); and environmental (protecting and enhancing the natural, built and historic environment). Paragraph 8 confirms that these roles should not be taken in isolation and are mutually dependent. Therefore, to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 5.5 It is a requirement that Local Planning Authorities positively seek opportunities to meet the development needs of their area (Paragraph 14). Paragraph 14 also states that development proposals that accord with the development plan should be approved without delay and where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or specific policies of the NPPF indicate that development should be restricted.

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- 5.6 Underpinning plan-making and decision-taking, the NPPF sets out 12 core planning principles at Paragraph 17. Of particular note these principles consider that planning should:
- Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve places in which people live their lives;
  - Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
  - Always seek to secure high quality design and a good standard of amenity for all existing and future occupants;
  - Take account of the different roles and character of different areas;
  - Encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value;
  - Promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas; and
- 5.7 Section 1 relates to building a strong, competitive economy including supporting sustainable economic growth and proactively meeting the development needs of business.
- 5.8 Section 6 on housing sets out that the Government is committed to increase the overall level of supply and mix of housing in order to meet local needs. Paragraph 49 confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. The first bullet point at paragraph 50 states that to deliver a wide choice of quality homes and create sustainable, inclusive communities, local planning authorities should "plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community."
- 5.9 Design is covered in Section 7, where the Government attaches great importance to the design of the built environment. This policy highlights that good design is a key aspect of sustainable development, that should be indivisible from good planning, which in turn should contribute positively to making places better for people
- 5.10 Paragraph 60 stresses that decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles, but that it is proper to seek to promote or reinforce local distinctiveness. Paragraph 61 goes further in identifying that securing high quality inclusive design goes beyond aesthetic considerations, and as such decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

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- 5.11 Section 8 relates to promoting healthy communities and states that planning decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments. Paragraph 70 also encourages an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 5.12 Section 11 refers to the conservation and enhancement of the natural environment and states that the planning system should work to actively contribute towards enhancing the natural environment. This section highlights that minimising the impacts to the natural and local environment is a key aspect of sustainable development, and where impacts to the natural environment cannot be avoided, sufficient mitigation measures or contributions should be sought.
- 5.13 Paragraph 111 states that planning decisions should encourage effective use of land through promoting the re-use of brownfield land provided that it is not of high environmental value.
- 5.14 Paragraph 118 stresses that to minimise impacts on biodiversity and geodiversity, planning applications should be determined such that if proposed development cannot avoid significant harm, either through mitigation, compensation or alternative siting, then planning permission should be refused. Where a development is likely to have an adverse effect on a Site of Special Scientific Interest (SSSI), development should only be permitted if it can be shown that the proposed benefits of the development are likely to outweigh any impact it is likely to have on the features of the SSSI. Wildlife protection sites such as SPAs, SACs and Ramsar sites should also be given the same protection as European sites when determining development applications.
- 5.15 Paragraph 119 states that a presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered.
- 5.16 In relation to decision making, paragraph 186 confirms that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and paragraph 187 states that local planning authorities should look for solutions rather than problems. Local planning authorities should work proactively with applicants to secure development that improves the economic, social and environmental conditions of the area.
- 5.17 Paragraph 196 confirms that the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

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- 5.18 Paragraph 197 states that the NPPF is a material consideration in planning decisions and that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

### **Planning Practice Guidance**

- 5.19 Planning Practice Guidance (PPG) was published online in March 2014. It advises that:

*"The National Planning Policy Framework represents up-to-date Government planning policy and must be taken into account where it is relevant to a planning application or appeal. If decision takers choose not to follow the National Planning Policy Framework, clear and convincing reasons for doing so are needed. A development that is consistent with the National Planning Policy Framework does not remove the requirement to determine the application in accordance with the development plan unless there are other material considerations that indicate otherwise."*

- 5.20 The Guidance advises that the statutory development plan is *"the plan for the future development of an area"*. It consists of:

- Local plans: development plan documents adopted by local planning authorities, including any 'saved' policies from plans that are otherwise no longer current, and those development plan documents that deal specifically with minerals and waste.
- Neighbourhood plans: where these have been supported by the local community at referendum and subsequently made by the local planning authority.

- 5.21 Regarding how decisions on planning applications must be made, it advises that:

*"The National Planning Policy Framework stresses the importance of having a planning system that is genuinely plan-led. Where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at paragraph 14 of the National Planning Policy Framework. Where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified"*.

- 5.22 In relation to affordable housing, a change to the Guidance on 16 November 2016 confirms that affordable housing provision is not required on sites of 10 or less dwellings.

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## **Local Planning Policy and Guidance**

- 5.23 The Arun District Local Plan 2003 was first adopted on the 17<sup>th</sup> of April 2003 and covered the period up to 2011. Policies within the Local Plan 2003 expired on the 27<sup>th</sup> of September 2007, however, a list of saved policies were granted extension by the Secretary of State until they are replaced by policies in the emerging Arun District Local Plan 2011-2031.
- 5.24 The emerging Local Plan 2011-2031 was submitted to the Secretary of State for independent examination on the 30<sup>th</sup> January 2015, and was suspended from examination on the 2<sup>nd</sup> February 2016. In response to the Examiner's conclusions a further round of consultation regarding the Proposed Main Modifications of the revised Arun Local Plan 2011-2031 ran from 10<sup>th</sup> April 2017 until 30<sup>th</sup> May 2017. The examination of the Arun District Local Plan 2011-2031 was resumed on the 26<sup>th</sup> of July 2017. Although the emerging Arun District Local Plan 2011-2031 has not been formally adopted, pending complete examination, the Publication Local Plan is now considered a material consideration by Arun District Council in assessing planning applications.

## **Saved Policies from Arun District Local Plan 2003**

- 5.25 The key saved policies from the Local Plan 2003, as relevant to this application submission, include:
- 5.26 Policy GEN2 'Built-up Area Boundary' states that development will be considered appropriate, subject to the other policies of the Local Plan, where it is located within the defined built-up area boundaries of settlements within the district.
- 5.27 Policy GEN7 'The Form of New Development' determines that planning permission will only be granted for new schemes which display high quality design and layout and have displayed an in-depth understanding of the site and its surroundings including the site's relationship with relevant townscapes, landscape, wildlife and surrounding movement characteristics. It is determined that permission for development will be granted if it can be proved that the proposal responds positively to the identified characteristics of the site and its surroundings.
- 5.28 Policy GEN22 'Buildings or Structures of Character' stresses that applications will not be granted planning permission if the proposed development would be of detriment to existing buildings or structures which are considered attractive in their own right or contribute to the character and appearance of an area.
- 5.29 Policy GEN23 'The Water Environment' states development proposals will be resisted if it is considered that the proposals would have detrimental impact on the water environment, including, rivers, ponds, wetlands, public access in river corridors and water related recreation.

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- 5.30 Policy GEN 26 'Water Quality' refers to the District Council's position on safeguarding the quality and yield of surface and ground water resources and states that development proposals which may lead to the deterioration of these will not be permitted.
- 5.31 Policy GEN32 'Noise Pollution' determines that development which may adversely affect its users by way of noise from existing or proposed uses will be resisted unless the council is satisfied that appropriate mitigation measures have incorporated within the proposals.
- 5.32 Policy AREA13 'Sites of International Importance for Nature Conservation' states development which is sited within, or likely to affect (directly or indirectly) a Site for International Importance for Nature Conservation (SIINC), such as an SPA, will be subject to rigorous examination and will not be permitted if it is likely to be of detriment to the SIINC, unless there is evidence to suggest that there is no other alternative, reasons of public health or safety, or there are benefits which outweigh the importance of the environment.
- 5.33 AREA14 'Sites of National Importance for Nature Conservation' requires development proposals which lie within, or likely to affect, (directly or indirectly) a Site of Special Scientific Interest (SSSI) illustrate that the reasons for the development clearly outweigh the nature conservation value of the site and relevant national policy.
- 5.34 Policy AREA15 'Sites of Local Importance for Nature Conservation' determines that development which is likely to affect (either directly or indirectly) a Local Nature Reserve (LNR), Site of Importance for Nature Conservation (SINC) or Regionally Important Geological Site (RIGS) must demonstrate that the reasons for the proposal clearly outweigh the need to protect the conservation value.
- 5.35 Policy DEV17 'Affordable Housing' previously required residential developments of 25 or more dwellings, or sites of 0.8ha or greater to provide a contribution towards affordable housing. This policy has since been superseded by the Government's amendments to the affordable housing National Planning Practice Guidance released on 16 November 2016.

### **Emerging Arun District Local Plan 2011-2031**

- 5.36 Although the emerging Local Plan is currently undergoing formal examination and not yet formally part of the statutory Development Plan the policies included in the plan will still be used by Arun District Council as a material planning consideration in the determination of planning applications. The emerging Local Plan 2011-2031 includes the following draft policies of relevance to this application:

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- 5.37 Policy SD SP1 'Sustainable Development' defines the Council's approach to determining planning applications with a presumption in favour of sustainable development. The policy stresses that the Council will work proactively with applicants to find solutions so that development proposals can be approved where possible, and will secure social, economic, and environmental conditions as necessary.
- 5.38 Policy SD SP1a 'Strategic Approach' identifies the Council's strategic approach to delivering new development to support the needs of local communities across the district. It is stated that new development which seeks to support the role of main coastal towns such as Bognor Regis and enhances local retail and social centre will be viewed positively. The Council will also continue to promote development proposals which seek to make effective use of previously developed land provided that it is not of high environmental value.
- 5.39 Policy SD SP2 'Built-up Area Boundary' states that development will be permitted where it is within the Built-up Area boundary of settlements as identified on the Proposals Map, and subject to other policies of the emerging Local Plan. These boundaries may be amended by a Neighbourhood Development Plan.
- 5.40 Policy H DM1 'Housing Mix' refers to the Council's position in seeking a mix of dwelling types and sizes (including affordable units) which adhere to the latest Homes and Communities Agency design guidance.
- 5.41 Policy H SP1 'The Housing Requirement' sets out the minimum housing allocation across Arun District for the duration of the emerging Local Plan Period. The emerging Local Plan determines that the District will be responsible for the delivery of a minimum of 20,000 new homes over the course of the Plan period. The Local Plan allocates a number of Strategic Site Allocations throughout the district which will contribute towards achieving the minimum housing delivery requirements. Two Strategic Site Allocations are proposed to deliver a western urban extension to Bognor Regis located in Pagham. Strategic Site Allocation SD1 (Pagham South) and Strategic Site Allocation SD2 (Pagham North) have been allocated for the delivery of 400 and 800 dwellings respectively. Additional allocations will also be made for smaller sites across the district through emerging Neighbourhood Plans.
- 5.42 Policy AH SP2 'Affordable Housing' requires development proposals of 11 residential units or more to provide a minimum requirement of 30% of affordable housing on site which is indistinguishable from market housing, including a mix of 1, 2, 3 and 4+ bedroom units.
- 5.43 Policy D DM1 'Aspects of Form and Design Quality' states that when considering any application for development the Council will have regard to the aspects of form and design quality and will pay due consideration to aspects of character; appearance and attractiveness; impact; innovation;

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adaptability; crime prevention; trees and woodland; solar gain; public realm; layout (movement and legibility); density; and scale.

- 5.44 Policy D DM2 'Internal Space Standards' requires all new development to incorporate internal spaces of an appropriate size to meet the needs of all potential occupants. Although the Nationally Described Standards are recommended as guidance, all new development is encouraged to make the most efficient use of land.
- 5.45 Policy ENV SP1 'Natural Environment' refers to the Council's presumption in favour of development which seeks to preserve and enhance biodiversity and the natural environment throughout the district. Development will be permitted where it protects designated sites and adheres to policies with regard the protection of both designated and non-designated sites (ENV DM1-5).
- 5.46 Policy ENV DM1 'Designated Sites of Biodiversity or Geological Importance' determines that any new development proposals which are likely to affect the designated features of local sites of biodiversity or geological importance should not normally be permitted unless it can be demonstrated that:
- i. There is no alternative solution (which shall be adequately demonstrated by the developer).*
  - ii. There are reasons of public health or public safety or*
  - iii. There are benefits of primary importance to the environment or*
  - iv. There are imperative reasons of overriding public interest."*
- 5.47 However, notwithstanding the above, the presumption in favour of sustainable development will not apply where new development requires appropriate assessment under the Birds or Habitats Directive. In determining applications affecting Sites of Biodiversity or Geological Importance, permission will not usually be granted unless it is proven that the fundamental natural features of the site will be safeguarded or enhanced.
- 5.48 Policy ENV DM2 'Pagham Harbour' identifies specific policies relevant to proposed development occurring within proximity to the Pagham Harbour SPA. Development proposals identified within Buffer Zone A (<400m from SPA) will only be permitted in exceptional circumstances where it is demonstrated that the proposal will have no detrimental effect on Pagham Harbour and pays regard to the tests set out in Policy ENV DM1. Development proposals sited within Buffer Zone B (400m – 5km from SPA) which are likely to have an impact on Pagham Harbour will be required to provide developer contributions towards recreation and access management.
- 5.49 Policy ENV DM4 'Protection of Trees' demands trees which may contribute to local amenity, protected by a Tree Protection Order (TPO), or form part of an ancient woodland are not damaged through the

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process of development unless their removal is considered within the interests of good arboricultural practice or the benefits of the proposed development outweigh their loss.

- 5.50 Policy ENV DM5 'Development and Biodiversity' requires that development proposals seek to achieve a net gain in biodiversity and protect existing habitats on site through the implementation of green features to facilitate the emergence of new habitats and create links between existing habitat areas. Where there is evidence to suggest that there is a protected species on the proposed development site, the application shall include a detailed survey of the species and seek to avoid the loss of the species through sufficient mitigation measures. This survey should also consider any potential impacts which may affect the species directly or indirectly, whether on the application site or in an area outside of the site.
- 5.51 Policy W SP1 'Water' demonstrates the Council's position in safeguarding and enhancing the quality of the water environment throughout the district. The Council will support development where it is demonstrated that appropriate mitigation measures have been incorporated to mitigate flood risk to homes and places of work whilst also increasing biodiversity.
- 5.52 Policy W DM1 'Water Supply and Quality' requires all new development to provide sufficient water supplies to serve the development which will not be of detriment to existing abstractions, river flows, water quality, amenity or nature conservation.
- 5.53 Policy QE SP1 'Quality of the Environment' requires that all new development does not have a detrimental effect on the quality of environment, residential amenity, leisure and recreational activities, or the natural environment. It is determined that the location of existing industrial and commercial uses must be considered with regards to noise, light, and odour when assessing proposals to safeguard the amenity of new development from incompatible land uses.
- 5.54 Policy QE DM1 'Noise Pollution' states that all new development which is likely to experience noise sensitivity from surrounding industrial or commercial uses will not be permitted if high levels of noise are continued through the night or there is a likelihood of complaints.

### **Pagham Neighbourhood Plan 2014-2029 (*Submission*)**

- 5.55 Arun District Council approved the designation of the Pagham Neighbourhood Area on 10<sup>th</sup> December 2012. A draft Neighbourhood Plan was first submitted to Arun District Council for its consideration and first consultation period in summer 2014. This plan was withdrawn from the examination process at an early stage as it was felt that the plan could be more robust by producing further detailed studies as was affirmed by Natural England. Further environmental studies were undertaken, and the Neighbourhood Plan revised, and was subsequently submitted for a second round of consultation in

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October 2015. The Pagham Parish Council is currently in the process of reviewing the representations received during the second round of consultation and revising the plan as necessary prior to submitting to Arun District Council.

- 5.56 Although limited weight can be attributed to the policies within the submission Pagham Neighbourhood Plan 2014-2029 (September 2015), some policies of relevance to the consideration of the proposals include:
- 5.57 Policy 3 of the Pagham Neighbourhood Plan requires that all new development within the neighbourhood area appropriately reflects, and enhances where possible, the historical and architectural character of the surrounding area with regards to scale; density; massing; height; landscape design; layout; and materials.
- 5.58 Proposal 3 of the Neighbourhood Plan confirms the Parish Council will support new development proposals which seek to improve the vitality and viability of local village centres including Pagham Road and The Parade.
- 5.59 Proposal 4 of the Pagham Neighbourhood Plan lists a number of sites designated as Assets of Community Value due to their local importance to the community. Although this proposal lists the Former Kings Beach Hotel, it has since been made inapplicable due to the previous planning history of the site as mentioned in the previous section of this document.

### **Pagham Village Design Statement**

- 5.60 The Pagham Village Design Statement was approved and adopted by Pagham Parish Council on 13<sup>th</sup> November 2007 and sets out good practice planning and design guidelines for development occurring within the village to encourage better design quality in the neighbourhood area. The document highlights the settlement's relevant locational context and heritage, and highlights appropriate scales, layouts, material palettes, and design characteristics for proposed development within different areas of the village.
- 5.61 The Pagham Village Design Statement highlights structures of interest, which although may not consist of listed buildings, are deemed to positively contribute to the character of the surrounding area. One of the structures which is highlighted by the Village Design Statement includes the Former Kings Beach Hotel & Frontage. However, it is noted that since the time the VDS was prepared in 2007 the Kings Beach Hotel has been significantly altered in terms of its use and appearance.

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## 6.0 KEY DEVELOPMENT CONSIDERATIONS

- 6.1 This section of the Planning, Design and Access Statement explains why the proposed development is appropriate having regard to the planning policy context set out in Section 5.0 above and the technical considerations that are relevant to the proposals.

### Principle of Development

- 6.2 The application site lies within the Defined Settlement and Built-up Area Boundary of Pagham and represents brownfield land within an established urban area such that the principle of development in this location is acceptable, in accordance with the NPPF (Paragraph 17), Policy GEN2 of the Arun District Local Plan 2003 and Policy SD SP2 of the emerging Arun District Local Plan 2011-2031.
- 6.3 The uses and character of development surrounding the site supports the principle of backland residential development in this area, with mixed retail and residential uses to the north and similar residential and backland development neighbouring the site to the west. The proposed development is therefore supported by Policy D DM1 of the emerging Local Plan, saved Policy GEN7 and Section 7 and Paragraph 60 of the NPPF.
- 6.4 The proposed mixed use relationship between the proposed dwellings and existing convenience store on site provides a sustainable approach to residential environment and promotes a sustainable community through the use of shared space and access as supported by Paragraph 70 and Section 8 of the NPPF.
- 6.5 As identified within the Submission Pagham Neighbourhood Plan (2015), one of the local proposals includes revitalising and improving the viability of local centres such as The Parade. The proposal introduces new residents to the immediate vicinity who will use the nearby services and facilities on The Parade, improving the viability of the local businesses in this area. The application proposal will also involve the revitalisation of a redundant brownfield site adjoining The Parade, rejuvenating a currently dilapidated site and improving the overall appearance and attractiveness of this area as supported by the emerging Neighbourhood Plan Policy SD SP1 and SD SP1a and Paragraphs 17 and 111 of the NPPF.

### Dwelling Size, Scale and Form

- 6.6 The application proposal introduces two new bungalows to the west of the site to reflect the surrounding residential character on Sea Lane and a 2.5-storey detached house to the east of

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the application site following the built form on The Parade. The proposed dwellings have been carefully considered in line with Local Policies D DM1 and H DM1 of the emerging Local Plan, and Saved Policies GEN7 and GEN22 of the Local Plan 2003, to be of a small-scale design and integrate with surrounding built densities, surrounding building heights and site character whilst not detracting from the important character of the Former Kings Beach Hotel building.

- 6.7 The application proposes the construction of a two and a half storey, 4 bedroom dwelling with a total floor area of 141m<sup>2</sup> and two 2 bedroom bungalows with internal floors areas of 74m<sup>2</sup> and 82m<sup>2</sup> respectively. The proposed development will therefore contribute towards increasing the overall level of supply and mix of housing in this location to help meet local need and will meet the need of potential residents in accordance with Nationally Described Space Standards, Section 6 and Paragraph 50 of the NPPF, and Policies H DM1 and H DM2 of the emerging Arun District Council Local Plan.

#### **Affordable Housing**

- 6.8 The proposal will provide 3 new dwellings and as such does not reach the threshold for affordable housing set out in the November 2016 Government Guidance or Policy AH SP2 of the emerging Local Plan.

#### **Residential Amenity**

- 6.9 The proposed development has been laid out to be appropriate and acceptable in relation to amenity with regards to the proposed dwellings, surrounding properties and existing convenience store. The access and manoeuvring spaces shared with the convenience store on site, installed 1.8m acoustic fencing, and additional planting act as a buffer between the dwellings and the convenience store.
- 6.10 As the existing convenience store on site has opening hours between 7am and 11pm it is not anticipated that noise emissions from the store or any delivery activity will cause sleep disturbance or adverse effects for the residents of the proposed dwellings. A Noise Impact Assessment has been prepared in support of this application and has recommended several suitable mitigation measures, which are easily achievable, to meet the level of sound reduction required for the proposed dwellings. The report determines that noise emission created by the existing retail use on site will not have an adverse impact on the proposed residential dwellings in line with Policies QE SP1 and QE DM1 of the emerging Arun Local Plan 2001-2031 and saved Policy GEN32 of the Local Plan 2003.

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- 6.11 Proposed planting fronting Sea Lane and The Parade provides a natural screening for the respective bungalow and two and a half storey dwelling shielding them from direct views from the main roads. The distance incorporated between the 2.5-storey dwelling and the northern bungalow has been considered to not create issues of overlooking between the two proposed properties. As the first floor of the existing convenience store is not used for living accommodation, with blacked-out windows, there is considered to be no issue of overlooking from the neighbouring retail use.
- 6.12 Proposed garden spaces have been carefully designed and positioned so to receive an appropriate level of morning and afternoon sun whilst being of sufficient size to meet the need of all future residents.
- 6.13 The layout of the proposed dwellings and their respective gardens has been carefully considered throughout the development of the proposals to maintain sufficient spacing between the existing bungalows on Sea Lane, and their related garden spaces, and the proposed dwellings. As the proposed units and the rear gardens of the neighbouring properties on Sea Lane are well separated, and that the proposed units neighbouring the residences on sea lane are of single story height, overlooking will be prevented and amenity conserved in line with policies D DM1 and QE SP1 of the emerging Local Plan 2011-2031 and saved Policy GEN7 of the Local Plan 2003.

#### Drainage

- 6.14 The site is located within Flood Zone 1 and as such the proposed development is not anticipated to be at risk from flooding or significantly increase surface water runoff.
- 6.15 As required by Policies W SP1, W DM2, ENV DM1 and ENV DM2 of the emerging Local Plan 2011-2031, development proposals should demonstrate that there are no likely adverse effects on the designated features or water quality of the Pagham Harbour SPA/Ramsar Site as a result of surface and foul water discharges. This requires applications for development to illustrate, regardless of proximity to the Pagham Harbour SPA, where materially increasing surface and/or foul water discharges, that adequate drainage capacity exists or can be provided as part of the development, and will not of detriment to existing abstractions, river flows, water quality, fisheries or nature conservation interests.
- 6.16 The application is supported by a Drainage Strategy and Impact Assessment which assesses the potential for foul water and surface water drainage strategies to impact the Pagham Harbour SPA. The report emphasises that the proposed surface water drainage schemes are anticipated to be of sufficient capacity and provide a net water quality benefit to the Pagham Lagoon and any subsequent

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exfiltration to Pagham Harbour by virtue of proposed suitable permeable site surface water treatments. The existing foul water drainage provision for the existing site is believed to discharge to the Kings Beach Pagham Waste Water Pumping Station, approximately 100m north of the site. The Pumping Station in turn discharges into Pagham Waste Water Treatment Works (WWTW) and then outfalls into Pagham Rife, and subsequently into Pagham Harbour. There are a large number of new dwellings proposed within the emerging Local Plan (2011-2031) which will all be served by the Pagham WWTW, which even then will ensure that there is capacity to accommodate additional discharge within the Environment Agency's regulated effluent discharge loads. Arun District Council have a Memorandum of Understanding with Southern Water Services (September 2017) which states that regardless of the phasing of new development in South Pagham (400 dwellings), as set out in Policy SD1 of the emerging Local Plan, waste water quality objectives will continue to be met. From this it is understood that any increase in discharge load resulting from the proposed development will have no adverse impact on water quality in Pagham Harbour. The proposal is therefore deemed to be appropriate and in accordance with Policies W SP1, W DM1 and ENV DM1 of the emerging Local Plan (2011-2031) and Policies GEN23 and GEN26 of the Local Plan 2003.

#### **Ecology and Protected Sites**

- 6.17 Development which is sited within the Pagham Harbour Buffer Zone A (0-400m from the SPA boundary) will only be permitted where it is demonstrated that the proposals are able demonstrate that there will be no detrimental effects on Pagham Harbour, including non-native species and the water environment. To accord with the requirements of Policies ENV DM1 and ENV DM2, this application is accompanied by an assortment of surveys and reports to determine the likely effects of the application. These reports are summarised below.
- 6.18 This application is accompanied by a Phase I Ecological Survey and Biodiversity Checklist, and determines relevant impacts which may arise as a result of the proposed development in terms of protected plant and animal species and habitats. The results of this survey have determined that it is unlikely that the proposals will impact upon any habitats of ecological value. The Phase I Survey has, however, identified a minimal potential opportunity for the site to support bats. Thus, a subsequent visit at a later date is recommended to further examine the existing garage structures on site to provide confidence that roosting bats are unlikely to be present.
- 6.19 To enhance and contribute towards biodiversity on site, the proposal will incorporate a bat roosting box, bird nesting boxes, enhanced planting and sensitive working practices in line with emerging policies ENV SP1, ENV DM5, and QE SP1, and saved Policy GEN7 of the Local Plan 2003, whilst required additional bat surveys for the site are capable of being controlled by condition.

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- 6.20 The site is located within 250m from Pagham Harbour (Ramsar, SSSI and SPA) and hence within Zone A of the Pagham Harbour Policy ENV DM2 of the emerging Arun Local Plan 2011-2031. However, due to the size, make-up, and immediate surroundings of the brownfield site it is not considered that the site is suitable for wintering wildfowl and waders (the qualifying features of the SPA). It is therefore considered highly unlikely that the proposals will impact directly upon the designated site and its qualifying features, or that noise, water, and pollution generated during the construction phase will affect the Harbour. Therefore, it is determined that there will be negligible impacts from construction. However, there will be a small increase in residents as a result of the application proposals, and therefore a potential for increased recreational pressure but given the size of the proposals it is considered that the proposals will have minimal impact at a local level.
- 6.21 As the site is located within Buffer Zone A from the Pagham Harbour designation it is acknowledged that a contribution of £871 per dwelling must be secured to make the development acceptable in planning terms and to contribute towards strategic access management measures in the area to alleviate additional recreational pressures. The applicant is willing to make this contribution.
- 6.22 To confirm that the proposed development will not likely impact the Pagham Harbour SPA this application is also supported by an 'Information to Support an Assessment of likely Significant Affects Under the Habitats Regulation Report'. The report determines that due to the nature of the site and its relationship between the surrounding development and Pagham Harbour SPA (including anticipated drainage discharge rates) it is anticipated that the proposed development is extremely unlikely to have an adverse impact on the SPA or Ramsar Site by virtue of pollution or construction disturbance. To mitigate against non-native invasive plant species, the proposals will avoid using non-native species in the proposed planting mix and will inform future residents of the risks of planting invasive non-native species on the Pagham Harbour SPA within an issued information pack. Although the proposed dwellings may affect Pagham Harbour through the introduction of increased recreational pressures, it is considered that the proposed combination of measures, including developer contributions and informative leaflets to future residents, are sufficient to mitigate the increased recreational demand.
- 6.23 As explained above, it is concluded that the proposed development will have no likely significant effects on the qualifying features of Pagham Harbour SPA, and as such is considered unlikely to require an Appropriate Assessment or any scrutiny from the tests set out in Policy ENV DM1. The proposed development is therefore in line with Policies ENV DM1, ENV DM2, ENV DM5, W DM1 of the emerging Arun Local Plan 2011-2031 and Policies GEN23 and AREA13-AREA15 of the Arun Local Plan 2003.

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## Trees

- 6.24 The application is supported by an Arboricultural Implications Assessment which confirms that the proposals are acceptable in terms of any impact on trees. Two Category C trees are identified and confirmed to be acceptable for removal, with new proposed planting mitigation their loss. The application therefore is in line with Local Policy ENV DM4.

## Sustainable Development

- 6.25 The application site lies within the Defined Settlement Boundary of Pagham, surrounded by existing development including residential and retail uses and other services and facilities. The application site is therefore considered to represent a sustainable location for development.

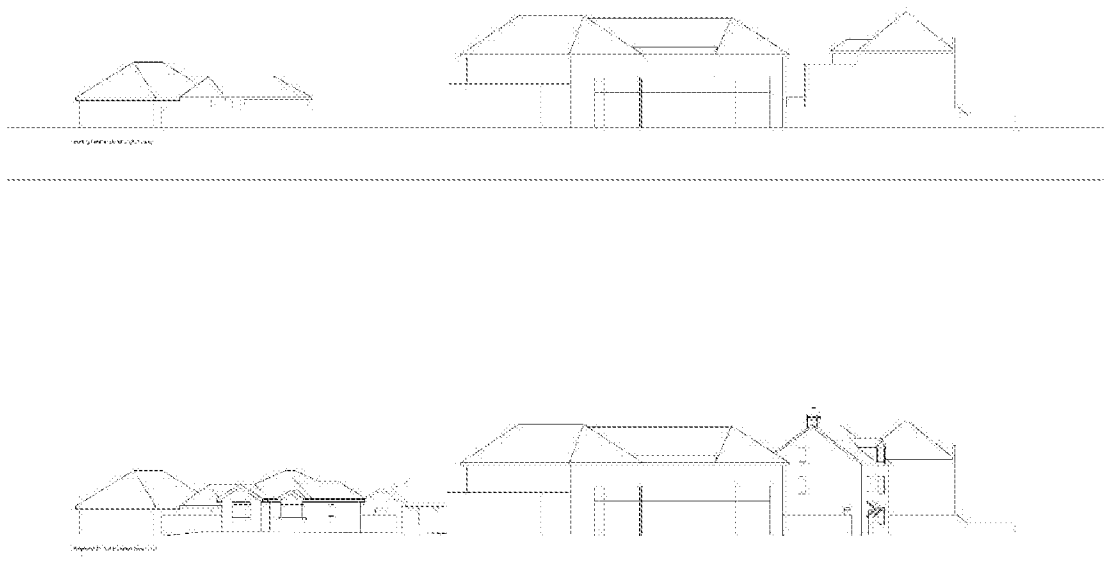
The proposed development meets all three dimensions of sustainable development as set out at Paragraphs 7 and 8 of the NPPF as follows:

- Economic = the proposed development will help to provide additional custom for the existing services and facilities in the local area whilst revitalizing the appearance of a local retail centre.
- Social = the proposed development will ensure that the application site continues to provide a community facility (convenience store) for the local residents as well as helping to meet the local housing need; and
- Environmental = the supporting technical documentation submitted as part of the application and information provided above confirms that the proposed development will not have any significant adverse environmental impacts and will work to seek a net gain in biodiversity.

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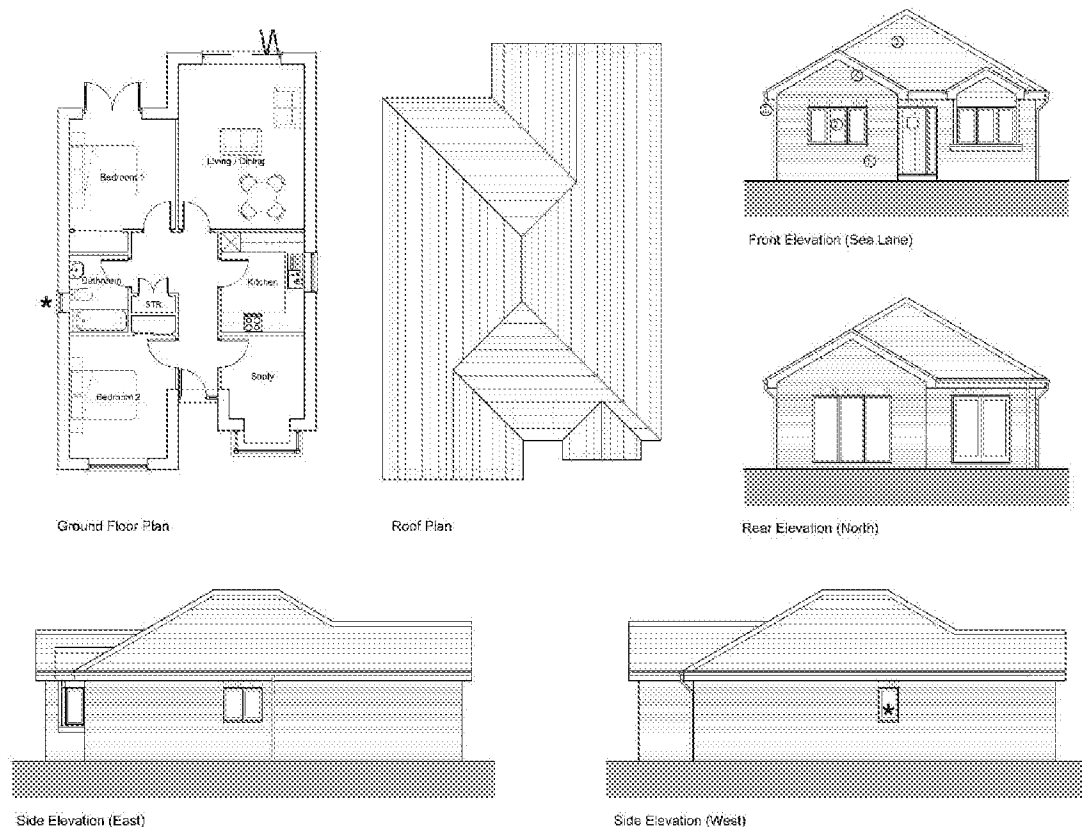
## 7.0 DESIGN

- 7.1 The three proposed dwellings have been designed and laid out to minimise the impact to the character of the surrounding areas, including the residential area on Sea Lane, the former Kings Beach Hotel building, and the local centre environment of The Parade. In order to blend with the prevalent style of building design and reinforce local distinctiveness, the proposed dwellings will be constructed to reflect the general characteristics of the immediate area (i.e. bungalows neighbouring the residential area on Sea Lane and the 2.5-storey dwelling neighbouring two storey mixed uses on the Parade and the 3 storey former hotel). To further integrate with the built form of the surrounding buildings, the ridge heights of the dwellings are proposed to not exceed those of their neighbouring buildings.



- 7.2 Proposed design characteristics will include simple plan form and detailing reflecting the local vernacular design. Concrete tile roofing and red facing brickwork is proposed with white Upvc windows providing a simple and attractive appearance in keeping with the character of the locality. The bungalows would use a similar palette of materials, however red facing brickwork will feature soldier course detailing to the heads of windows. The 2.5 storey dwelling will also incorporate a dormer window on the 2<sup>nd</sup> floor fronting The Parade in similarity to the former Kings Beach Hotel building.
- 7.3 The layout of the proposed floorplans has been carefully considered to locate living spaces away from potential viewpoints within the car park of the existing convenience store and to conserve residential amenity of the proposed dwellings. Bedrooms on the ground floor of the bungalows have been positioned on the western side of the buildings bordering the boundary of the application site to prevent direct views into these spaces from pedestrians and customers approaching or leaving the

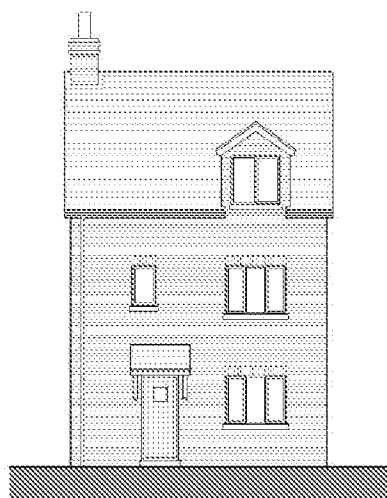
existing convenience store. Living rooms of the proposed dwellings have also been located away from direct views at the rear of each property. To conserve the residential amenity and privacy of the northern proposed bungalow, a roof light is incorporated on the second-floor northern elevation of the proposed 2.5 storey dwelling to restrict overlooking views into the neighbouring garden. Tree planting is also included on the western garden boundary of the two and half storey dwelling to further restrict these views.



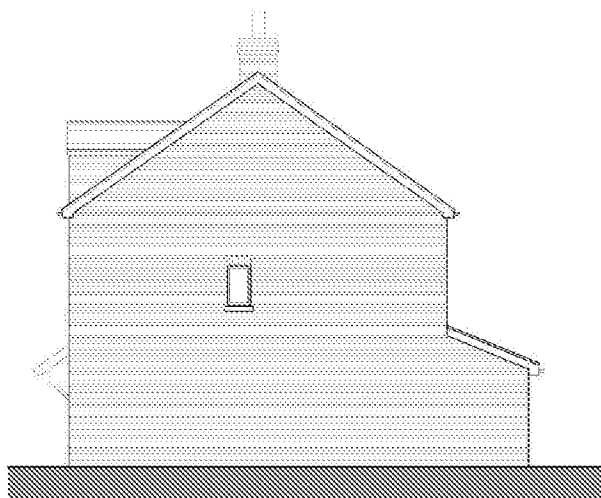
7.4 One of the proposed bungalows will face onto Sea Lane, with the two and a half storey dwelling facing onto The Parade. The two dwellings abutting the main roads will be set back from the street by private residential parking bays (clearly separate from the convenience store car park) and additional proposed planting to screen views from the main roads. The two dwellings fronting the main roads have been located on the edges of the site boundary to clearly distinguish a threshold between the public and private areas of the former hotel site. The proposals also incorporate a 1.8m high timber acoustic fence and additional planting to separate the perimeter of the convenience store, the proposed dwellings and associated gardens to further amplify the threshold between retail and residential areas.

7.5 Associated works involved with the proposal will include the demolition of an existing row of garages and the removal of a small group of trees to accommodate the two proposed bungalows on the western portion of the site. The existing overgrown garden to the rear of the convenience store will

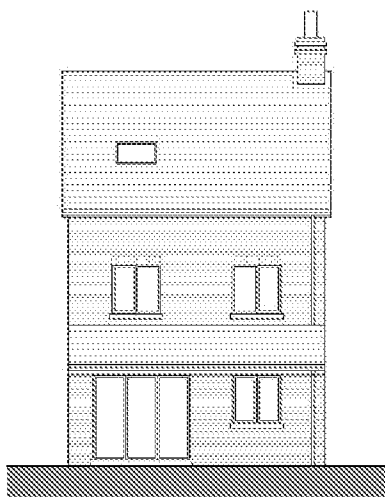
be cleared and replaced with a new lawn and planting to form the residential curtilage of the northern bungalow and two and a half storey dwelling.



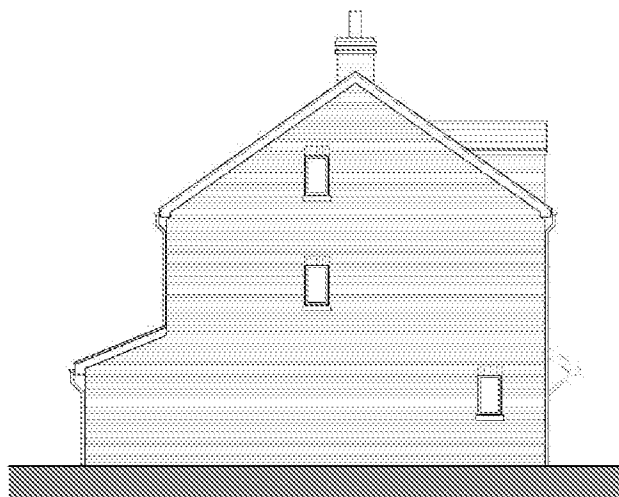
Front Elevation (The Parade)



Side Elevation (North)



Rear Elevation (West)



Side Elevation (South)

- 7.6 For these reasons, the layout, and design of the proposal is appropriate and acceptable in residential amenity terms and contributes towards the character and setting of the surrounding area. The proposal therefore complies with the relevant provisions of Section 7 of the NPPF, saved Policies GEN1, GEN 7 and GEN22 of the Arun Local Plan 2003 and Policy D DM1 of the emerging Local Plan 2011-2031.

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## 8.0 HIGHWAYS, ACCESS & PARKING

- 8.1 This report confirms that the application site represents a sustainable location for development, surrounded by existing residential development and near a variety of local amenities, and accessible through multiple modes of transport.
- 8.2 The proposed parking and access layout includes 2 parking spaces per bungalow and 3 spaces for the proposed 2.5 storey dwelling and have been arranged such that there is sufficient manoeuvring space for vehicles to enter and leave the site in forward gear without affecting the operation of the convenience store's car park. The application is supported by Tracking Diagrams to demonstrate this (see Proposed Site Layout Plan). The private residential parking spaces have been positioned immediately fronting their respective proposed dwelling so to illustrate a clear threshold between the spaces associated with the convenience store and those privatised for residents.
- 8.3 Although the proposal would result in a small increase in traffic entering and leaving the site, it is considered that the proposed access strategy and existing access points on The Parade and Sea Lane are appropriate to serve both the existing convenience store and proposed dwellings, and would be sufficient to serve the anticipated demand of both uses.
- 8.4 The refuse collection point for the dwellings will be located on Sea Lane and The Parade fronting the appropriate access point for each dwelling. It is also considered that the proposed access and parking layout is sufficient for service and delivery vehicles to enter the site and manoeuvre to exit in a forward gear without affecting the operation of the convenience store.
- 8.5 For the reasons set out above it is concluded that the proposed development complies with the relevant provisions of the NPPF, saved Policy GEN7 (Arun Local Plan 2003), and emerging Policy D DM1 (Arun Local Plan 2011-2031).

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## 9.0 SUMMARY AND CONCLUSION

- 9.1 WYG has prepared this Planning, Design and Access Statement on behalf of the applicant, Crescent Land Limited, in support of their planning application which proposes the demolition of an existing row of garages and the erection a two and a half storey detached dwelling and two bungalows on the residual land surrounding the Co-Op convenience store located at the Former King's Beach Hotel on the corner of The Parade and Sea Lane.
- 9.2 This Planning, Design and Access Statement, and the other documentation submitted in support of the application, confirms that the proposed development complies with the relevant planning policy framework for the site and is acceptable having regard to the key planning considerations to be taken into account in assessing the proposals. This statement also summarises how the proposed development is acceptable having regard to the key technical considerations.
- 9.3 Overall, it is concluded that the proposals represent a sustainable location and form of development having regard to the provision of the National Planning Policy Framework and the Development Plan. The application site lies within the Defined Settlement Boundary of Pagham and represents brownfield land within an established urban area such that the principle of development in this location is acceptable. The proposals will help to maximise the use of this brownfield site whilst at the same time ensuring that amenity for existing and future residents is protected.
- 9.4 Ultimately, it is determined that although the site lies within Pagham Harbour Buffer Zone A, there are no likely impacts which would adversely affect the designated features of the SPA. The documents and surveys in support of this application conclude that the proposals are highly unlikely to have a detrimental effect on Pagham Harbour as a result of water quality, non-invasive species or pollution and that all recreational pressures will be adequately mitigated through the use of developer contributions and other suggested measures. It is therefore concluded that the principle of development is appropriate in accordance with the emerging environmental Policies ENV DM1 and ENV DM2 of the Local Plan 2011-2031.
- 9.5 At the same time, the proposed development will ensure that the existing convenience store on the site is retained and remains viable and that a valued community facility continues to be provided in this location close to an existing local population.
- 9.6 For these reasons, it is submitted that the proposed development is acceptable and planning permission should be granted for the detailed planning application.