

REPORT UPDATE

Application No: P/56/26/PL

Reason for the Update / Changes

Reason for Update/Changes: New NPPF published August 2026

Officers Comment: Paragraph 11 has been replaced by new policy S3 of the NPPF (2026). This directs proposals outside of the BUAB to policy S5, this allows certain forms of development to be developed outside of the BUAB, such as (e) which includes limited infilling within groups of houses. This does not alter the recommendation made by the Officer.

WSSC Highways reference paragraph 116 of the NPPF, this has been replaced by policy TR6(4). This does not alter the recommendation made by the Officer.

Paragraphs 174 and 175 has been replaced by policy F5(1) and (2). This does not alter the recommendation made by the Officer.

Paragraphs paragraphs 181, 182, and 187e have been replaced by policies F7, F8 and CC3. This does not alter the recommendation made by the Officer.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: P/56/26/PL

LOCATION: Land to the west of Inglenook Hotel
255 Pagham Road
Pagham
PO21 3QB

PROPOSAL: Demolition of existing storage buildings and construction of 6 No. dwellings and associated works (resubmission following P/43/25/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 permission for 6 dwellings and associated works, following the removal of caravans on site.
SITE AREA	2,500sqm.
RESIDENTIAL DEVELOPMENT DENSITY	24 dwellings per ha.
TOPOGRAPHY	Predominantly flat.

TREES	Two TPOs - neither of which will be removed. TPO/P/2/20 to the western boundary includes 2 No. Pedunculate Oak and 2 No. Lime. These trees are referred to as T4, 6, 7, and 8 in the application. TPO/P/2/15 comprises a Poplar on the southern boundary. This tree is referred to as T3 in the application. Two small category C trees are to be removed (T5 and T1).
BOUNDARY TREATMENT	1.8m to 2m high close boarded timber fencing to all boundaries. Mature and established trees and hedging to the north, west and south boundaries.
SITE CHARACTERISTICS	Residential character. The site is occupied by five static caravans, used as accommodation for hotel staff for the Inglenook Hotel. It is understood this use was established in the 1980s.
CHARACTER OF LOCALITY	Predominantly residential. The site is abutted by residential properties to the north, west and south; those to the north being static caravans in permanent residential use. The Inglenook Hotel, a Grade II listed building is to the east, with further retail and commercial uses to the south east.

RELEVANT SITE HISTORY

P/43/25/PL	Demolition of existing storage buildings and the erection of 6 No dwellings and associated works. This application affects the setting of listed buildings, is a Departure from the Development Plan and is in CIL Zone 5 and is CIL Liable as new dwellings.	Refused 21-11-25
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Application P/43/25/PL was refused for one reason. The Local Planning Authority was not satisfied that sufficient information had been provided to demonstrate that an acceptable surface water drainage scheme could be secured and operated effectively. Consequently, it had not been established that the development would not increase flood risk on the site and surrounding area.

REPRESENTATIONS

Pagham Parish Council (PPC) - Objection:

- Encouraged by addition of green roofs and other measures to improve drainage. However, the requisite standards have still not been met. Concerns raised that green roof could be converted at a later date.
- No agreement regarding accessing site via Platinum Gardens (private road) had been reached.
- Proposes to use the surface water drainage facility from Platinum Gardens. No evidence has been provided to confirm that owners of this facility will allow a connection or that it has capacity.
- It was queried whether the correct notices had been served.
- Should the application be allowed consideration is given to proposed deliveries and contractor parking; taking vehicles through Spinnaker View/Platinum Gardens would be unacceptable.

21 letters of objection received from nearby occupiers. General comments concern the following:

- Harm to neighbouring amenity from impact to privacy and noise pollution and odour.

- Harm to trees, wildlife and biodiversity. Threat to TPO trees.
- Platinum Gardens is a privately owned road funded by/maintained by properties on the estate. No consultation has been had with residents to use this road, and no permission has been granted by owners. Legal implications are queried.
- Sharp right hand turn into Platinum Gardens is dangerous/difficult to manoeuvre.
- Impact to a grade II listed building.
- Not enough local infrastructure/amenities (doctors, hospitals, schools etc) for additional housing.
- Loss of green space.
- Impact to drainage and flood protection arrangements. Assurance is sought that proper provision can be made to ensure existing arrangements are not negatively impacted.
- Increased traffic including during construction.
- No planning notices erected/erected late.
- Heavy construction vehicles will damage private roads.
- Drainage in Platinum Gardens has required costly renovation, it will not cope with 6 additional houses.
- Drainage system has not been adopted by Southern Water.
- Shortfall in visitor parking spaces.
- The construction of new homes has a negative and direct impact on existing homes.
- Why can't the access via The Inglenook be re-considered.
- The Inglenook's carpark floods, new development will not help this.
- Legal issues raised regarding the storage and collection of domestic waste.
- Should the application be approved a request is made to remove permitted development rights for additional storied/bedrooms.

COMMENTS ON REPRESENTATIONS RECEIVED:

PPCs comments are noted, and will be addressed in the conclusion. Subsequent to their meeting, new Certificate B notices we provided and confirmation from the agent was received confirming owners had been notified.

Comments raised in the representations are addressed below. Concerns regarding the use of the access from Platinum Gardens and legal ownership is not a material consideration for planning, as ownership remains a private matter. For the purposes of due diligence, it has been clarified in the Planning Statement that the applicant has full legal access.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC ECOLOGY: No objection subject to conditions.

- The BNG report and Statutory Metric shows a loss of 27.91% in habitat units. Offsite provision of BNG units is required.
- The BNG report and Statutory Metric shows a loss of 100% in Hedgerow units. Offsite provision of BNG units is required.

ADC ENVIRONMENTAL HEALTH: No objection subject to conditions.

ADC CONSERVATION OFFICER: No objection.

No harm identified to the setting of the designated heritage asset, and no harm to their significance.

WSCC HIGHWAYS (LHA): No objection subject to conditions.

- Follows refusal of P/43/25/PL and is a resubmission of that application. Comments made in 2025 are

still relevant.

- Access from Spinnaker View is acceptable.
- The pedestrian access from Spinnaker View and The Inglenook Hotel is acceptable.
- The site has good access to bus routes.
- There are no capacity concerns.
- Parking layout and number of spaces appears acceptable.

NATURAL ENGLAND: Further information required.

- Has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites they underpin.
- Your authority has measures in place to manage potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the sites.

ADC DRAINAGE ENGINEERS: Objection but with conditions suggested.

- The runoff strategy is acceptable, with water reuse considered first, infiltration shown to be unfeasible, and discharge to the public surface water sewer identified as the most sustainable alternative.
- Does not fully meet the SuDS interception standard, but includes several beneficial features (green roofs, raingardens, water butts and permeable paving); while a technical objection remains, a departure from the standard may be justified given the site's constraints and wider development benefits.
- The drainage design is generally acceptable, with an agreed discharge rate of 0.5 l/s and adequate allowances for climate change and urban creep, although a minor catchment area discrepancy may require additional underground storage.
- Permeable paving provides sufficient treatment of surface water runoff, making the water quality strategy acceptable.
- Despite limited opportunities on a small site, features such as green roofs, raingarden planters and permeable paving provide reasonable visual and multifunctional amenity benefits, leading to no objection.
- The development offers biodiversity benefits through green roofs and raingardens, and although supporting biodiversity assessments are incomplete, no objection is raised. Consultation with the Tree Officer is recommended due to protected trees.
- Maintenance and management details for the SuDS system are insufficient, but this can be addressed through a condition requiring a more detailed plan, so no objection is raised on this basis.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Outside Built Up Area Boundary

TPO

Pagham Harbour Zone B

2km Buffer for Site of Special Scientific Interest

Surface Water Flooding

River and sea without defences 1 in 200 (0.5% AEP) (Future Flood Zone 3a)

CIL Charging Zone 5

DEVELOPMENT PLAN POLICIES

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

CSP1

C SP1 Countryside

DDM1

D DM1 Aspects of form and design quality

REPORT_1011(ODB)

DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
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
ENVSP1	ENV SP1 Natural Environment
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

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 conflicts with the Development Plan by virtue of its countryside location and a technical conflict with drainage policy. Notwithstanding this, the drainage issue would not result in increased risk of flooding and no material harm has been identified in this regard.

The site is well related to the existing settlement pattern, being adjacent to established residential development and the Built-up Area Boundary (BUAB). The Local Planning Authority is unable to demonstrate a five-year supply of deliverable housing sites. Consequently, the tilted balance set out in paragraph 11(d) of the NPPF is engaged and the presumption in favour of sustainable development is a significant material consideration in the assessment of the proposal.

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.

OTHER MATERIAL CONSIDERATIONS

There are other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

The application is liable for Biodiversity Net Gain (BNG). The following is a summary of key points:

- Would result in the loss of 0.29 Habitat Units, and 0.14 Hedgerow units (5.53% and 100%).

- 0.81 Habitat Units and 0.15 Hedgerow Units need to be provided offsite to meet the 10% BNG requirement. This would be secured through a condition.

CONCLUSIONS

PRINCIPLE

The site is outside of the Built-up Area Boundary (BUAB). Arun Local Plan (ALP) policy C SP1 states residential development in the countryside will not be permitted unless it accords with policies in the Plan which refer to a specific use or type of development. None of these relate to the proposal. However, the application site is adjoined on all sides by built form. ALP policy SD SP2 states development should be focused in the BUAB. The proposal conflicts with over-arching aims of ALP policies C SP1 and SD SP2.

Flood risk impacts are discussed below. As the Council cannot demonstrate a 5-year Housing Land Supply ALP policy C SP1 is out of date and subject to the flood risk concerns, the presumption in NPPF paragraph 11(d) ("tilted balance") may apply.

Whilst outside the BUAB, the site abuts this boundary to the south and east, and is surrounded on all sides by residential development. This site is in an infill site between residential development, falling within and outside the BUAB. As a result, though contrary to the objectives of ALP C SP1, the location reflects the pattern of development in the area, and would not appear unduly out of place in the spatial composition of Pagham. This would be a natural extension of developments in the area.

The planning balance and consideration of Para 11d(ii) of the NPPF is assessed below.

PREVIOUSLY DEVELOPED LAND

NPPF paragraph 125(c) states planning decisions, should give substantial weight to the value of using suitable brownfield land in settlements for homes and other identified needs. As the site is outside the settlement boundary, substantial weight should not be automatically given. The weight attributed under NPPF paragraph 125 is discussed below in the 'Planning Balance' section.

LAYOUT, APPEARANCE AND CHARACTER

ALP policy D SP1 states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees, and crime prevention. New buildings should be harmonious and successfully integrate with the surrounding environment.

The proposal is for 3 pairs of semi-detached dwellings with hipped roofs and gable end projections. All plots are in uniform line, running west-east across the site; each with parking and garden space to the front elevations, abutting a no through access road. Though sharing the same elevational design and height (a ridge height of approximately 9.5m, and eaves 5.4m), each pair varies slightly from one another. Plots 1 and 2 have a footprint of approximately 70sqm. Plots 3 and 4 are marginally larger, each with a footprint of 75sqm, and include weatherboarding at first floor to all elevations. Plots 5 and 6 have the largest footprints; each including an attached single storey garage. This results in a footprint of 95sqm. These plots share the same bricks as Plots 1 and 2, with the sole difference being the flat green roofs covering garages. All plots include a single storey rear projection with flat parapet roof and skylight. Plots 1 and 2 have a projection with a marginally smaller width than other dwellings.

The dwellings reflect the prevailing style and character of neighbouring dwellings and would not be out of keeping. They are slightly set back from the building line and the layout reflects Platinum Gardens and appears a natural extension of that development. The scale and design is harmonious in the street scene. The reduced roof style results in a less bulky design than Platinum Gardens and provides visual interest.

The development has a density per hectare (dph) of 24. The density of neighbouring sites comprises 22.5dph for Platinum Gardens, and 28.6dph for Spinnaker View. 24 dph is in a similar density range as its surroundings, and is appropriate for this location.

The layout is balanced, and does not appear as an overly dense or crowded development. The location of the access road to the front provides modest sized front gardens and driveways. This creates a relief between the road and front elevations, which helps to ensure the street scene does not appear unacceptably urban or enclosed, or overly car dominated. As a result, the design, appearance and layout is appropriate, and would result in a street scene with good visual amenity.

The site is appropriately screened from the surrounding area and would only have impact on the visual amenity of Platinum Gardens to the west, and parts of Spinnaker View to the south and south-west. It will not be possible to view the development from Pagham Road; and there will be no harm to the character and appearance of this older part of Pagham. As a result of the large mature trees on the northern boundary, visibility in Mill Farm Estate will be limited. Should this boundary treatment be removed, the rear elevations of the development will be visible from this site to the north. Though this will have some impact on the street scene, it is important to note that the rear and side elevations of the dwellings in Platinum Gardens form an established part of the wider setting of Mill Farm, and are visible from its street scenes. These dwellings have little screening. Were screening removed from the proposal, the visibility of the rear elevation of 6 more dwellings will not be out of keeping with existing surroundings, and will not be unacceptably harmful to the visual amenity of this neighbouring street scene.

The proposal is harmonious in character and design with its wider context, and would not result in built

form that appears incongruous in this location. The development is in accordance with ALP policy D DM1 and D SP1, the Pagham Design Statement, ADG, and the NPPF.

RESIDENTIAL AMENITY / QUALITY OF ENVIRONMENT

ALP policy QE SP1 requires development to ensure it does not have a significantly negative impact on residential amenity. ALP Policy D DM1 requires development to have a minimal impact to users and occupiers of nearby property and land.

The ADG deals in part H.04 with separation distances between habitable rooms: Back to Back: min. 21m between habitable rooms of properties or to existing buildings. Back/Front to Side: min. 14m between habitable rooms and side gable of adjacent property. Front to Front: min. 16m between habitable rooms of properties facing each other. Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

All plots retain a front to back separation distance from the dwellings to the south of a minimum of 30m. As a result, the dwellings to the south will not be subject to unacceptable overbearing, overshadowing or overlooking. The ADG does not set side to side separation distances; though there will be a separation of 12m between the closest dwelling (Plot 1) and 1 Platinum Gardens to the west. 1 Platinum Gardens and Plot 1 have windows on their side elevations which face onto each other. Whilst there is adequate separation, a condition should be applied requiring the bathroom window of Plot 1 to be obscure glazed. This is to preserve the amenity and privacy experienced by No.1, and prevent perceived overlooking between the two dwellings.

The dwellings are in minor conflict with the minimum back to back distances in the ADG. To the north is Mill Farm Estate, comprising single storey park homes which abut the rear boundary of the site. The closest homes, Nos. 5 and 7 Mill Farm Drive, will be to the rear of Plots 1-4. No. 7 will be 20m from the rear building line of Plot 1 and 2; and No. 5 will be 16.5m from Plots 3 and 4. As this distance is single storey to single storey, the amount of harm posed to residential amenity will be negligible, as both properties will be screened by boundary treatments. The harm only increases when accounting for the first floor of Plots 1-4. When accounting for the separation distance between the first floor and elevation of No.7, Plots 1 and 2 are 23m away. This exceeds the minimum 21m set by the ADG, is acceptable. Plots 3 and 4 will be 20m from the rear elevation of No.5. This falls 1m short of the minimum 21m; and as these properties will be screened heavily by retained trees, the harm to residential amenity from overbearing, overshadowing and overlooking will be minimal. As such, this shortfall is acceptable.

The creation of 6 dwellings will not create a substantial or demonstrable amount of disturbance that is incomparable to existing noise produced in this area, and will simply add to existing background noise of surrounding sites. This will not have an adverse impact on the quality of the environment, nor residential amenity.

Representations have been received regarding noise from The Inglenook and the potential impact on existing neighbouring residents and future occupiers of the proposed dwellings. This application relates solely to residential development and does not seek permission for, or propose changes to, the operation of the hotel. It would neither be reasonable nor appropriate to impose planning restrictions on the activities of the neighbouring business through this application. Matters relating to the operation of the hotel and any associated nuisance are subject to separate licensing and Environmental Health legislation.

Environmental Health do not object on noise grounds. Residential properties have coexisted alongside the hotel for a considerable period without any identified justification for restricting the hotel's established use. In these circumstances, it would not be reasonable to require the development to accommodate or mitigate the lawful operation of the neighbouring site beyond what is necessary to ensure acceptable

living conditions for future occupiers. No objection is raised in respect of noise.

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

SPACE STANDARDS

ALP policy D DM2 requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. ADG Section J.08 re-iterates the need to comply with the Nationally Described Space Standards (NDSS). The NDSS requires that for 3 bed, 5 person 2 storey dwellings, a Gross Internal Floor Area (GIA) of 93sqm must be provided.

Dwellings meet minimum bedroom sizes for a 3b, 5p unit, and comprise the following total GIA:

- Plots 1 and 2 = approximately 106sqm
- Plots 3 and 4 = approximately 110sqm
- Plots 5 and 6 (excluding garage space) = approximately 110sqm

All plots exceed the minimum GIA of 93sqm, in compliance with ALP policy D DM2.

The ADG includes guidance and criteria on several relevant matters including distances between dwellings, gardens, defensible space, and sunlight & daylight levels. ADG paragraph H.04 advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space.

All plots are afforded garden depths exceeding 10.5m, and front gardens / defensible spaces exceeding 2m. This accords with the minimum requirements set out in the ADG.

HIGHWAYS, PARKING AND ACCESS

ALP Policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian, and bridleway network.

Arun has adopted a Parking Standards SPD (Jan 2020). The proposal is for 6 x 3 bed dwellings in Zone 2. This attracts the requirement for 2 parking spaces per unit, alongside 1.2 visitor parking spaces (20%). As a result, a minimum total of 13.2 parking spaces should be provided on site. 14 spaces are provided on site, comprising 13 allocated spaces, and 1 visitor space. Whilst 2 visitor parking spaces would be preferred, the parking quantum is sufficient, and would not result in detrimental impact to the highway amenity.

The development proposes a new access, extending from an existing junction and access road in use by Platinum Gardens. This access would result in the removal of a green verge and fence to the east of 1 Platinum Gardens. Significant concerns have been raised by existing residents about the introduction of this new access, and connection to the existing turning. One main issue concerns ownership permissions; this is not a matter for planning and is a private matter. The applicant has declared ownership and permission to this access.

Other comments raised by neighbours concern this existing access not being designed for use by six more dwellings, it is not suitable for construction traffic, and the harm posed to safety and amenity of other road users, and nearby residents. Traffic and vehicle trip calculations have been raised as an issue, within the immediate roads, and wider areas.

The development has been accompanied by a transport assessment, and this has been reviewed and

assessed by WSCC Highways. They raise no objection in respect of highway safety, and have concluded the proposal would not have a severe impact on the operation of the highway network. No capacity concerns have been raised, and it has been determined that the access to the site is of sufficient geometry to accommodate the level of vehicular activity. Sightlines along Pagham Road have been considered acceptable by WSCC Highways.

In respect of amenity to nearby occupants, it is acknowledged that the increase in vehicle presence of up to 14 cars moving from and on to the site, will result in some impact to existing dwellings, through general disturbance. Given the scale of the development, and the vehicle trip generation, this will not have a demonstrable impact on amenity, and is not of a level of harm to amenity which would justify refusal on these grounds.

In accordance with the Arun Parking Standards, it would be required that each dwelling provide 2 secure and covered cycle parking spaces (12 in total), and an EV charging point.

The development will not have an unacceptably adverse impact on highway safety, amenity, parking, nor the operation of the highway network, and is in accordance with ALP policy T SP1, the Arun Parking Standards, and the NPPF.

HERITAGE ASSETS

The site is within the setting of Listed Buildings. This comprises the Inglenook Hotel, a Grade II Listed Building dated C18 or earlier; and the group of Four Barns at Mill Farm, Grade II Listed and all C18.

Paragraph 207 of the NPPF requires the identification of the significance of the heritage asset affected by a proposed development. The heritage assets in this case derive their significance from their architectural and historical interest.

Paragraph 208 of the NPPF requires the Local Planning Authority consider the significance of the impact upon that heritage asset. Both heritage assets are now appreciated in a suburban context, with a significant amount of modern development around them. The Inglenook is best experienced and enjoyed from its front elevation, as seen from Pagham Road. The development will not be visible from this street scene, and will have no impact on the significance of this principal and historic elevation. There are many modern additions to the rear of The Inglenook, which create a degree of harm to the overall significance and interest of this building. The development would primarily be visible from within the context of the rear elevation and curtilage of The Inglenook, and as such appreciated within the context of these. Both assets are additionally screened by mature hedging and trees, and as such visibility of the development from the context of both assets will be limited. The proposal is reflective of recent development in the wider setting of the assets, and would not be unacceptably out of character to cause harm to the significance or setting of either asset.

The development will not result in harm to the setting of designated heritage assets, and will not harm their significance. It is not necessary to consider the public benefits of the scheme. The development is in accordance with ALP policy HER SP1 and HER DM1, and the NPPF.

FLOOD RISK

NPPF paragraph 174 pertaining to flood risk states 'the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding'. In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g.

by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.

ALP policy W SP1 states 'The Council will also support development that... is appropriately located, taking account of flood risk and promotes the incorporation of appropriate mitigation measures...'.

ALP policy W DM2 requires all proposals to satisfy defined criteria.

The Flood Map For Planning, which provides current EA data on flood risk, identifies under the 'Flood Zones with Climate Change' layer that the footprints of plots 5 and 6, and the site access, will be subject to flooding within the lifetime of the development. This subsequently triggers the need for a Site-Specific Flood Risk Assessment (FRA), Sequential Test, and if found to be necessary, an Exception Test.

The development has been accompanied by a Flood Risk Assessment and Drainage Strategy, and a Sequential and Exception Test.

Future flood risk is from tidal flooding, ignoring the benefits of any existing flood defences, and will only affect the access/egress from the site, and footprint of the ground floor of Plots 5 and 6. Finished Floor Levels (FFL) are to be set at 6.15m. Given the similar ground levels of the external areas, it is unlikely that the FFL height would be sufficient on its own, should the extents of climate change flooding come to fruition in the lifetime of the development in an extreme event. Minimal flood risk management has been proposed in the FRA, relying only on safe access and egress, and flood warning systems. In the extreme event identified, safe access and egress would not be possible for all residents, and it would be required that safe refuge be found in the dwellings until flooding has subsided.

All dwellings are two storeys, with all bedrooms at first floor. In the event of flooding, there would be limited possibility that any residents are asleep at ground floor, or would not be able to seek safe refuge at first floor. The refuge at first floor would be sufficient for providing safe shelter for residents until the flooding subsides, or rescue services reach the dwelling. The risk of flooding to residents would not be such that life or property on the site would be unacceptable, nor result in significant harm.

A sequential test accompanied the application, and officers are content that the parameters set out in this test are sufficient. In accordance with Para 027a of the PPG, the area of search for non major housing should not extend beyond an individual village and its immediate neighbouring settlements. The Sequential Test has subsequently searched Pagham, West Aldwick, East Aldwick, and Bersted wards of Bognor Regis. This search area was agreed with the applicant.

A number of potential sites were searched, and checked against the criteria. It was found that none of the sites were sequentially preferable to the proposed site, and as such the sequential test was found to have been passed. In accordance with Table 2 of the PPG, an Exception Test was also undertaken. This identified the following:

- a. Wider sustainability benefits - addition of six dwellings, economic benefits during the construction phase, CIL contributions, economic and social benefits for the local area as a result of additional residents.
- b. Safety of development within its lifetime, taking account of vulnerability, without increasing flood risk elsewhere, and reduction in flood risk overall - the development has been accompanied by a Drainage Strategy that details that the proposal will remain safe for its lifetime and will not increase flood risk elsewhere.

It is agreed that sufficient evidence has been provided to demonstrate that the proposal will remain safe for its lifetime, flood risk to future residents is acceptable, and the site will not increase flood risk

elsewhere. This is in consideration of the flood risk posed by climate change only.

The proposal is in accordance with ALP policies W DM2 and gains the support of W SP1 in these respects.

SURFACE WATER DRAINAGE

ALP policy W DM3 requires the use of Sustainable Urban Drainage Systems (SuDS) appropriate to the scale of development and offers guidance. ALP Policy W SP1 similarly encourages SuDS integration, particularly where it helps mitigate flood risk. The NPPF (paragraphs 181, 182, and 187e) states that planning decisions should ensure flood risk is not increased elsewhere. The National Standards for SuDS (NSfS) outline seven design standards.

ADC Drainage Engineers object to the proposal, however, their objection relates to a minor technical conflict with Standard 2 of the NSfS.

Infiltration to ground, the highest priority discharge location for a full design solution, is unviable due to high groundwater levels. Instead, alongside water re-use solutions, it is proposed to discharge to the next viable location; a surface water sewer.

An interception assessment has been submitted, which demonstrates the proposal does not accord with Standard 2 (specifically 2.6.3), and a relaxation of this standard has been requested by the applicant's designers. Interception features have nevertheless been proposed, including green roofs, raingarden planters, water butts and permeable paving. ADC Drainage Engineers state this minor technical conflict, and the resulting objection, would need to be weighed in the planning balance. Conditions have been suggested by ADC Drainage Engineers, implying they consider that the objection would not affect the scale or layout of the development. This is noted and will be fully considered below.

Concerns have been raised by neighbours regarding the connection to the existing drainage system serving Platinum Gardens. The representations do not clearly specify whether these concerns relate to the foul water or surface water drainage network. As many of the comments refer to a broken and undersized pump, it is presumed that these concerns relate to the foul drainage system. The use of pumps in surface water systems is strongly resisted.

ADC Drainage Engineers do not object to the discharge location, finding it compliant with Standard 1. The surface water drainage strategy includes discharge to an existing public surface water sewer. Southern Water confirm there is capacity in the surface water sewer. A policy compliant and reduced rate of discharge has been agreed by ADC Engineers, whereby storm water would be held in the tanked permeable paving area, with slow discharge directly into the surface water drainage system. As an appropriate volume of storage is provided, this will not increase the risk of surface water flooding on site or elsewhere.

In terms of Standards 1, 3-7, no objections were raised. The proposal does not comply with ALP policy W DM3 due to the conflict raised to Standard 2 of the NSfS, however this is acknowledged as a technical conflict only. Overall the proposal will not increase flood risk elsewhere and does incorporate SuDS within the proposal.

BIODIVERSITY

The proposal falls in Pagham Harbour Zone B, and would result in some recreational pressures on the Pagham Harbour Special Protection Area. In accordance with ALP policy ENV DM1, and request of Natural England, an Appropriate Assessment is required to assess the potential impacts to the SPA. As explained further below, this development is subject to financial contribution to alleviate recreational pressures on Pagham Harbour. This is considered acceptable for the scale of the development. A full

Habitat Regulation Assessment has not been undertaken, but this would detail the reasoning as to why the development would not have significant impact, and financial contribution would be sufficient.

ALP policy ENV DM5 requires development schemes seek to achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not).

The application has been accompanied by a BNG Metric and Preliminary Ecological Appraisal (PEA) and respective updates. This has been reviewed by the ADC Ecologist, who raises no objection subject to conditions. The BNG Metric details the loss of 27.91% of Habitat Units, and 100% of Hedgerow Units. The development has been shown to not be able to deliver the required units on site, and off-site provision will be required. This is either through the purchasing of credits, or creation of off-site units. As confirmed by the ADC Ecologist, this can be secured via condition.

The PEA assessed impacts on protected species, and identifies no impacts. A precautionary Badger survey would be required 6 weeks before commencement of any works. Within the PEA, the following ecological mitigation measures are proposed:

- Bat friendly lighting;
- Maintaining the grass sward height of less than 10cm to deter reptiles;
- Retention of trees and hedges;
- Installation of bat and bird boxes.

Subject to approval, the above measures will be secured via condition. The ADC Ecologist requested this condition include 3 integral bat boxes, 6 integral swift boxes, hedgehog gaps in fence and planting native species of local provenance.

The development is in accordance with ALP policy ENV DM1 and ENV DM5, and the NPPF.

TREES

ALP Policy ENV DM4 ensures that development is planned to take a comprehensive view of tree issues at an early stage and that development works do not have a negative impact on existing trees.

There are two TPOs on site. TPO/P/2/20 comprises G1 to the western boundary, which includes 2 No. Pedunculate Oak and 2 No. Lime. These trees are referred to as T4, 6, 7, and 8 in the application. TPO/P/2/15 comprises T2 (Poplar) on the southern boundary. This tree is referred to as T3 in the application. Neither TPO is to be affected by this proposal, with the development only including the removal of two small category C trees (T5 and T1). These are not covered by the Order.

The Tree Officer has not provided comments. In relation to the previous application, which was identical save for the surface water drainage information, the Tree Officer raised no objection. The development will result in the loss of two small trees of low quality, and concealment and containment of preserved trees on the western boundary. This is unfortunate, but will allow for the successful retention of all higher value trees on the site.

Subject to the conditions previously recommended, the development is in accordance with ALP policy ENV DM4, and the NPPF.

SUSTAINABLE CONSTRUCTION

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

As there are no decentralised, renewable, and low carbon energy supply systems proposed, a condition is necessary to secure compliance with the policy, and subject to approval will be applied.

ACCESS MANAGEMENT CONTRIBUTION

ALP policy ENV DM2 requires that residential developments in a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. The current rate is £974 per dwelling.

The site lies in Zone B. As 6 residential units are proposed, the payment for the Access Management Contribution attracts the need to pay for each new dwelling. A contribution of £5,844 is required.

The application has been accompanied by a S106 Agreement, which has been signed and sealed by the ADC Legal department. This contribution has been secured and confirmed and accords with ALP policy ENV DM2.

WASTE

ALP policy WM DM1 states new residential development, including the conversion of a single dwelling into multiple homes, will be permitted where it provides suitable access for kerbside waste collection and, where needed, includes secure communal recycling and bin storage facilities for residents.

The Transport Statement indicates that the refuse store will be within 25m of Spinnaker View, where the existing refuse collections are undertaken, it is noted this is within the required dragging distances.

A communal waste store is proposed on the western boundary, no elevational details have been provided or confirmation that the proposed size of the store is appropriate to accommodate either large scale communal bins or 6 individual waste/recycling and food waste bins. Further details of the design of the store can be secured by condition.

Subject to condition, the bin storage area accords with ALP policy WM DM3.

PLANNING BALANCE

The site lies outside the Built-Up Area Boundary. The principle of development falls to be considered against the presumption in favour of sustainable development set out in Section 11 of the NPPF. Although the site is within an area at risk of flooding, the identified conflict is technical in nature and does not preclude the application of the tilted balance.

This application is assessed under paragraph 11(d)(ii) of the NPPF, whereby planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The Council is unable to demonstrate a five-year housing land supply (3.23-years), and significant weight is afforded to the contribution the proposal would make towards meeting identified housing needs. The development would deliver six units, representing a significant benefit. It would make efficient use of previously developed land. Additional benefits include temporary employment during the construction phase, and increased spending by future occupiers in local shops and services.

The site is developed, and surrounded by other residential development on all sides, such that the character of the site is one of within a settlement boundary. Significant weight would be awarded in favour on the development in this instance.

A minor conflict with ALP policy W DM3 has been identified. This relates to a technical departure from Standard 2 NSfS, arising from a shortfall in the volume of rainfall intercepted on-site. Whilst interception features, including a green roof and water gardens, have been incorporated into the scheme, these

measures do not fully capture the first 5mm of rainfall from all events as recommended by the standard.

Notwithstanding this shortfall, sufficient evidence has been provided to demonstrate that the discharge location has adequate capacity to accommodate the development's surface water runoff. A reduced discharge rate has been agreed with ADC Engineers, and it has been concluded the development would not result in an increased risk of flooding either on-site or elsewhere.

In assessing the application as a whole, a number of benefits substantial, significant and modest in weight, have been identified, and these are not considered to be significantly and demonstrably outweighed by the technical objection in relation to the drainage strategy. Accordingly, on balance, the application is recommended for approval.

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 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 application based on considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

A completed S106 Agreement has been received and confirmed by the ADC Legal Department, with the document signed and dated on 28/04/25. This agreement requires the undertaker to pay the sum of £5,844 to the Council on the date of commencement of the development, for the purposes of financial contributions towards the cost of delivering measures to avoid, or mitigate, the harm caused to Pagham Harbour by the development.

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:
1. Location Plan 01
 2. Proposed Block Plan 03 Rev A
 3. Proposed Site Plan 08 Rev D
 4. Plots 1 and 2 Ground Floor Plans 11
 5. Plots 1 and 2 First Floor Plans 12 Rev A
 6. Plots 3 and 4 Ground Floor Plans 21
 7. Plots 3 and 4 First Floor Plans 22 Rev A
 8. Plots 5 and 6 Ground Floor Plans 31
 9. Plots 5 and 6 First Floor Plans 37 Rev B
 10. Plots 1 and 2 Roof Plan 18
 11. Plots 3 and 4 Roof Plan 28
 12. Plots 5 and 6 Roof Plan 38 Rev A
 13. Plots 1 and 2 Front and Side Elevations 19 Rev A
 14. Plots 1 and 2 Rear and Side Elevations 20 Rev A
 15. Plots 3 and 4 Front and Side Elevations 29 Rev A
 16. Plots 3 and 4 Rear and Side Elevations 30 Rev A
 17. Plots 5 and 6 Front and Side Elevations 39 Rev A
 18. Plots 5 and 6 Rear and Side Elevations 40 Rev A
 19. Proposed Street Scene 50 Rev A
 20. Proposed Site Plan 10 Rev D
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies C SP1, D DM1 and QE SP1.
- 3 Notwithstanding the provisions 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 to the dwellings permitted under Part 1 of Schedule 2 Class A(g), 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 and safeguard the cohesive appearance of the development in accordance with Arun Local Plan policy D DM1.
- 4 The first floor window on the eastern elevation of Plot 1 shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and non-openable below 1.7m above finished floor level / fixed to be permanently non-opening. This arrangement shall be permanently retained thereafter.
- Reason: To protect the amenities and privacy of the adjoining property in accordance with Arun Local Plan policies D DM1 and QE SP1.
- 5 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of materials and finishes 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 by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policies D DM1 and HER DM1.

- 6 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.

- 7 No development shall take place (or such other date or stage in development as may be agreed in writing by the Local Planning Authority) until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, who shall consult with National Highways, WSCC Highways, the council's Environmental Health Team and Ecologist as appropriate. The approved CEMP shall thereafter be implemented and adhered to throughout the construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction. The CEMP shall provide details as appropriate, including but not necessarily restricted to, the following matters:

1. The preferred road routing for all construction traffic associated with the development.
1. Provision of wheel washing facilities (details of their operation and location) and other works required to mitigate the impact of construction upon the public highway, including the provision of Temporary Traffic Regulations Orders.
3. Details of street sweeping.
4. Details of suppression of dust and dirt arising from the site.
5. Details of areas for the unloading, loading, parking and turning of vehicles on site.
6. Details of areas to be used for the storage of plant and materials associated with the development.
7. Contact details for the site contractor, site foreman and CDM coordinator, including out-of hours contact details.
8. Details of the arrangements for public engagement/consultation prior to and during the development.
9. Measures to minimise the noise and vibration generated by the construction process, to include hours of work, proposed methods of piling for foundations, the careful selection of plant and machinery and the use of noise mitigation barriers.

If residential properties are to be completed and occupied prior to the whole development being finished, a scheme to protect those early occupants from noise and vibration shall be submitted to and approved in writing by the local planning authority.

Details of how measures will be put in place to address any environmental problems arising

from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints and shall be available on site and their availability made known to all relevant parties.

No demolition/construction activities shall take place other than between 08.00 hours and 18.00 hours on Monday to Friday and between 08.00 hours and 13.00 hours on Saturday with no work on Sundays or Bank/Public Holidays.

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

- 8 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.

- 9 No development above damp-proof course (DPC) level shall take place until full details of the in-curtilage secure cycle stores have been submitted to and approved in writing by the Local Planning Authority and the relevant houses shall not be occupied until the approved cycle storage spaces associated with them have been provided. These cycle storage spaces shall thereafter be permanently retained and maintained.

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

- 10 No dwelling shall be first occupied until the access road and car parking serving the dwellings has been constructed in accordance with the approved site plan. Once provided the 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.

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

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

- 12 A badger survey on and within 30m of the site shall be carried out in accordance with the

details contained in the Preliminary Ecological Appraisal by David Archer Associates dated August 2024 six weeks prior to the commencement of development. Should evidence of badger setts be found, development shall not, under any circumstances, commence unless and until the Local Planning Authority has been provided with, and has approved in writing, either:

1. A report demonstrating that no licence from Natural England is required and setting out the measures to be implemented to safeguard badgers and their setts; or
2. A copy of a valid licence issued by Natural England together with a scheme of mitigation, compensation and monitoring measures to be implemented.

The approved measures shall thereafter be implemented in full and retained for the duration of the development in accordance with the approved details.

Reason: To conserve protected species and allow the Local Planning Authority to discharge its duties under and Badger Protection Act 1992 and Arun Local Plan policy ENV DM5.

- 13 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 the Preliminary Ecological Appraisal by David Archer Associates August 2024 and a letter of update dated 30 March 2026, shall be submitted to and approved in writing by the Local Planning Authority.

The Biodiversity Enhancement Layout shall include the following measures:

- Three integral bat boxes;
- Six integral swift bricks;
- Hedgehog gaps in fences;
- Planting native species of local provenance.
- A bat friendly Lighting Plan.

These features shall also be included in the Biodiversity Enhancement Layout.

It is recommended the bat friendly lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

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 perpetuity 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).

- 14 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place, written confirmation is required from the Arboricultural Expert representing the site owner(s), confirming that all protective fencing has been inspected and found to be 'Fit for Purpose' as required under British Standard 5837:2012 and been erected and positioned exactly as shown in Appendix 6 'Tree Protection Plan - Phase 1' of the Tree Survey and Report ref. B/0559/25, Beechdown Arboriculture Ltd.

Reasons: To comply with BS5837:2012 and ensure the retention and maintenance of trees and vegetation which are an important feature of the area, in accordance with Arun Local Plan Policy D DM1. It is necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 15 All activity at the site is to be carried out in strict accordance with: - Tree Survey and Report, ref. B/0559/25, Beechdown Arboriculture Ltd.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with Arun Local Plan policy ENV DM4 and BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 16 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Ref D2310/FRA2.1 by BP Civils March 2026 and the following mitigation measures detailed within the Flood Risk Assessment:

1. Identification and provision of safe route into and out of the site to an appropriate safe haven.
2. Finished floor levels are set no lower than 6.15 m above Ordnance Datum (AOD).

Reason: To ensure safe access and egress from and to the site and to reduce the risk of flooding to the proposed development and future occupants. In accordance with Arun Local Plan policies W SP1 and W DM2.

- 17 Prior to the commencement of development, full details of the proposed surface water drainage scheme must be submitted and approved in writing by the Local Planning Authority. The full details submitted for approval shall include:

1. Impermeable area plan,
2. Calculations modelling the surface water drainage network for the following storm events:
 - a. 100% Annual Exceedance Probability
 - b. 10% AEP + climate change allowance
 - c. 3.3% AEP + climate change allowance
 - d. 1% AEP + climate change allowance

All storm events must include an allowance for urban creep and surcharged outfalls where appropriate,
3. Detailed drainage plans conforming to Local Planning Authority guidance,
4. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,
5. Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SuDS scheme.

The scheme shall then be constructed as per the approved plans. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the Local Planning Authority.

Reason: In order to comply with Arun Local Plan policy W DM3 and the NPPF.

- 18 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Arun Local Plan policies W DM1, W DM2 and W DM3. It is necessary for this to be a pre-commencement condition to ensure future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 19 No development above damp-proof course (DPC) level shall take place unless and until details for the storage of waste and recycling on the site has been submitted to and approved in writing by the Local Planning Authority.

The approved waste and recycling storage facilities shall then be provided prior to occupation of the buildings and retained in good order in perpetuity.

Reason: To protect the amenities of nearby residents in accordance with Arun Local Plan policy WM DM1.

- 20 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>

- 21 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the NPPF.

- 22 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to securing the sum of £5844 to the Council on the date of commencement of the development, for the purposes of financial contributions towards the cost of delivering measures to avoid, or mitigate, the harm caused to Pagham Harbour by the development.