

Recommendation Report for Planning Permission

REF NO: P/5/26/PL

LOCATION: 44 and 44A Pagham Road
Pagham
PO21 4NP

PROPOSAL: 1 No 4-bed chalet bungalow, alteration of existing bungalow to include off-street parking and rear dormer extension (resubmission following P/118/25/PL). This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to demolish a garage and side extension of No. 44 Pagham Road, and to construct 1 No. detached, 1.5-storey dwelling alongside the installation of a dormer and porch extension, loft conversion, new access, and fenestration alterations to No. 44. The result would be two detached 1.5-storey dwellings of matching and appearance.
SITE AREA	1354sqm.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	14dph.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	Hedgerow to front boundary, low wooden boundary fence between front garden of Nos. 44 and 42, tall wooden boundary fencing to remaining boundaries, often with hedgerow planting supplementing the fencing.
SITE CHARACTERISTICS	The site is a large, irregular shaped plot with a bungalow set to the south side of the plot that is consistent with the front building line of Pagham Road. The plot has vehicular access taken from Pagham Road on its north side, with a driveway, garage and car port. The bungalow has a small extensions on the northeast and southwest sides, and a single storey gable ended extension and conservatory to the rear. The building is of render and clay tiles with 3 No. chimneys and its street facing elevation has a uniform layout of 5 No. windows.
CHARACTER OF LOCALITY	The area is primarily residential in character, however, the site is to the edge of the settlement and beyond Pagham Road to the north and northwest is open agricultural land.

RELEVANT SITE HISTORY

P/118/25/PL	1 No. 4 bed chalet bungalow and extension to existing dwelling. This application is in CIL Zone 4 and is CIL Liable as a new dwelling.	Refused 13-01-26
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P/106/15/PL & P/81/16/PL - Both of these applications granted permission for the demolition of the dwelling and construction of 2 No. bungalows in a similar format to that proposed under the current application. It is of particular note, however, that there has been material planning policy changes since the approval of these applications, that they are no longer extant, and that the current proposals are materially different despite similarities in resultant layout.

P/118/25/PL - This application was for a previous iteration of the current scheme. It was refused due to insufficient flood risk information, residential amenity concerns, insufficient parking provisions, and the lack of a completed S.106 agreement pertaining to the Pagham Harbour Special preservation Area. The current scheme has sought to resolve these reasons for refusal.

REPRESENTATIONS

Pagham Parish Council - No objection.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Ecologist - No objection subject to conditions:

- The site is within the Pagham Harbour Zone B, however, given the scale and nature of the development an appropriate assessment is not required.
- The BNG report and Statutory Metric shows a loss of 8.70% in habitat units and 13.73% in Hedgerow units. Provision of offsite BNG units is required.
- The BNG assessment shows that the site is developed land and vegetated garden with boundary hedging. No hedging is being removed.
- No ecological assessment of the site has been undertaken but this is acceptable as the existing house is not being demolished, and the habitats present are of low ecological value.
- Ecological enhancements such as bat and swift bricks on the dwellings and ecologically friendly planting should be secured by condition.

Natural England - Further information required:

- Due to recreational pressure impacts to European Site(s).
- Your authority has measures in place to manage these potential impacts which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).
- Notwithstanding this, Natural England advises that these measures should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment.
- Discretionary advice provided.

WSCC Highways - Advice:

- Does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the NPPF (paragraph 116), and there are no transport grounds to

resist the proposal.

- Parking is sufficient.
- Conditions regarding new access details, and car and cycle parking to be secured have been suggested.
- Informative regarding Vehicular Crossover License suggested.

Environmental Health (EH) - No objection:

- Conditions regarding the need for acoustic details or building services plant (air-source heat pumps etc), construction hours, and electric vehicle charging requested.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions applied as appropriate. The condition requested by EH pertaining the acoustic impacts of plant, machinery equipment, or building services plant has been amended to include an alternative form of acoustic assessment referring to MCS 020 a) guidance following conversations with EH on similar applications where the acoustic impact assessment for the consideration of air-source heat pumps can be satisfactorily addressed through the consideration of the updated MCS 020 a) guidance.

POLICY CONTEXT

Built-up Area Boundary.

Future Flood Zone 3 (2111).

Pagham Harbour Zone B.

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

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVSP1	ENV SP1 Natural Environment
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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REPORT_1011(ODB)

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

SPD13 Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal complies with relevant Development Plan policies in that it comprises an acceptable form of residential infill development and householder development that has suitably applied the Sequential Test for flood risk and would be sufficiently safe for its lifetime. It is otherwise sustainably located and would not compromise the visual amenities of the area nor the residential amenities of neighbours.

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

BIODIVERSITY NET GAIN

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

- Loss of 8.70% in habitat units.
- Loss of 13.73% in Hedgerow units.
- Provision of offsite BNG units is required.

CONCLUSIONS**PRINCIPLE**

The site is in the Built-Up Area Boundary where the principle of development is supported subject to consideration against other relevant Development Plan Policies in line with Arun Local Plan (ALP) policy

SD SP2.

CHARACTER & DESIGN

The proposals include two primary components, these being the proposed alteration/extension of the existing dwelling along with its new vehicular access, and the construction of the dwelling. The proposals would result in two detached 1.5-storey dwellings of almost identical appearance.

The dwelling would maintain the forward building line of the existing dwelling and the street, and the scale and bulk of both units would remain commensurate to their respective plots and in keeping with the varied but predominantly 1 and 1.5-storey dwellings that front Pagham Road in the immediate vicinity.

The material palette along Pagham Road varies. Limited details regarding the materiality of the proposals have been provided, noting that facing brickwork and plain tiles to match have been identified within the application form. The existing dwelling features white render, so it is unclear what facing brickwork would be matched, and the visual appearance of the materials overall is unclear. Nonetheless, subject to conditions, these details could be sufficiently controlled and as such, a condition to this effect has been attached.

The proposals include front porches, rooflights, large flat roofed rear dormers, and single storey rear extensions. Those to the front of the buildings would be visible in the locality but would not result in any harm to the visual amenities or character of the area. The rear extensions and dormers are predominantly hidden from view from the public realm and while they are prominent features to the rear of the buildings, they would not have any unacceptable visual impacts on the wider area.

The dwelling is to be 1m from the southwest site boundary and approx. 2m from the existing dwelling. While dwellings along Pagham Road tend to have greater separation between them, this separation would not be significantly harmful to the visual amenities of the area given the proposal would result in the units reading as a distinct visual pair.

The proposal would introduce a new access to the front of No. 44 and reuse the existing access point for the new dwelling. Limited details of the proposed driveways and access arrangements have been provided. Pagham Road features a variety of front gardens/driveways, all of which access onto Pagham Road from the frontage. To ensure the front driveways/gardens are designed appropriately, conditions have been attached requiring details of the proposed hard and soft landscaping to the front of the plots, alongside details of the access arrangements as requested by WSCC Highways.

The submitted BNG assessment has assumed (but doesn't confirm) that the front amenity spaces would consist entirely of hardstanding and notes a net loss of 13.73% of hedgerow units overall. The proposals seek partial removal of the front hedgerow to enable the formation of the new vehicular access. Specific details of the hard and soft landscaping and boundary treatments will be secured by way of condition. The partial removal of the front hedgerow for access is acceptable.

Specific hard and soft landscaping and boundary treatment details will be secured by way of conditions, and these will need to align with the finalised details of Biodiversity Net Gain which is also required to be secured by way of condition.

Subject to attached conditions, the proposal is in accordance with ALP policies D SP1 and D DM1.

QUALITY OF ACCOMMODATION

Both properties are to be of two storeys with four bedrooms and eight bedspaces. In line with the Nationally Described Space Standards (NDSS), each dwelling would require a minimum of 124sqm internal floor area. Both properties exceed this minimum, and each bedroom is served by windows

providing sufficient access to natural light.

The proposal is in accordance with ALP policy D DM2.

Section H.04 of the Arun Design Guide (ADG) identifies minimum rear amenity space depth requirements, and minimum spatial measurements for new dwellings and their relationship to other buildings. This section states a minimum 10.5m rear garden depth is required for new dwellings, with smaller quantities being possible where justified provided adequate daylight and privacy remain. Both of the units have rear amenity spaces of sufficient depth and functionality for the occupants.

The proposal is in accordance with ALP policy QE SP1.

NEIGHBOURING RESIDENTIAL AMENITY

Sections J.02 & H.04 of the ADG identify minimum separation distances between dwellings so as to ensure adequate external space standards are met and preserve the residential amenity of neighbouring residents.

The existing dwelling would remain in the same location and would not increase, in terms of scale and bulk, in any substantial way that would be to the detriment of the immediate neighbouring properties, existing or proposed. Therefore, there would be no significantly adverse impacts by way of overbearing or overshadowing on neighbouring properties.

The introduction of front rooflights would not result in any unacceptable overlooking impacts on neighbouring properties.

The introduction a rear dormer to the existing dwelling would result in new rear-facing first-floor viewpoints which would allow peripheral and high-level views toward the rear amenity spaces of the neighbour to the southwest and the proposed dwelling. However, the views would be long, oblique views which would not be unexpected in an urban area. Whilst these are new, there would be no significantly adverse overlooking impacts on neighbouring properties.

The rear-facing first-floor dormer windows of the proposed dwelling would allow some peripheral, high-level views toward the rear garden of No. 44, but these would not be harmful. They would provide views over the driveway, garage and car port of No. 2 Sea Way, with more distant and partially obscured views toward its amenity space. No. 2's primary private garden lies to the north of the dwelling and would not be affected.

The first-floor west-facing openings of No. 2 serve non-habitable rooms (a bathroom and landing), and the ground-floor kitchen window below looks out to the shared boundary fencing. These openings are not directly orientated toward the proposed first-floor rear windows.

Accordingly, there would be no unacceptable overlooking or inter-overlooking between No. 2 Sea Way and the new dwelling.

The proposed dwelling is located to the west of No. 2 Sea Way and is situated between approx. 1m-2.64m from the shared boundary between the properties. The proposed dwelling would result in some adverse impacts by way of overbearing and overshadowing on the ground-floor openings along the west elevation of No. 2. These openings include a kitchen window, and a high-level secondary window serving the living room. While these impacts are noted, they are not so harmful that they would result in any significant harm to the residential amenity of the occupants.

The proposal delineates a boundary between the existing and proposed plot but no details of the

proposed boundary treatment have been provided. Details of the boundary treatments are to be secured by way of condition and installed prior to occupation. This will ensure sufficient privacy is provided between the proposed gardens of each plot.

The proposal is in accordance with ALP policies D DM1, D DM4, and QE SP1.

BIODIVERSITY AND ECOLOGY

The proposal is a residential development within Pagham Harbour Zone B where a contribution of £962 per new residential unit is required to mitigate recreational pressures within the Pagham Harbour Special Protection Area (SPA) that may arise from the construction of new residential units. In this case, the relevant financial contribution (£962) has been secured via a S.106 agreement to mitigate against these potential indirect impacts.

Arun District Council are required to carry out an Appropriate Assessment (AA) where appropriate to assess the impact of the proposal on the Pagham Harbour SPA. Given the scale of the existing building and proposals and the dense urban grain of the area, this proposal would not incur any direct harms to the SPA, and impacts would be limited to potential recreational pressures arising from the development for which the appropriate funds for recreational disturbance mitigation have been secured. Officers and the ADC Ecologist conclude that no further Appropriate Assessment would have been required if the relevant funds had been secured.

The proposal is within the 2km Buffer for of two Sites of Special Scientific Interest (SSSI), Pagham Harbour, and Bognor Reef. For the same reasons outlined above, the proposal would not have had any detrimental impact on these SSSI.

The proposal is in accordance with ALP policies ENV SP1, ENV DM1, and ENV DM2.

The proposal does not meet any relevant exemptions and are subject to Statutory Biodiversity Net Gain, which requires a measurable 10% net gain in biodiversity. Since the existing and resultant plot(s) are and would remain entirely private residential gardens, the proposals would not be able to ensure long-term maintenance of the 10% biodiversity net gain required, and achieving it on site, is difficult due to the baseline value afforded to private residential gardens. The proposals seek to achieve a 10% net gain in biodiversity offsite by way of credits and given the aforementioned reasons, this approach is acceptable.

The submitted BNG assessment has assumed that hardstanding would cover the full front amenity spaces, down the sides of the properties, and to an area of patio for each dwelling, but no site plan to this effect has been provided and therefore, the finalised details of on-site landscaping and the resultant Statutory BNG values required off-site are unconfirmed. The submitted BNG assessment has made a reasonable assumption, but the finalised biodiversity net gain details and values need to be confirmed through the harmonious submission of hard and soft landscaping/boundary treatment details and the statutory biodiversity net gain details, pursuant to the discharge of relevant conditions. Conditions regarding both the on-site the hard and soft landscaping proposals and the Statutory BGN condition have been applied. The applicant is advised to seek their discharge under the same discharge of conditions application with details that are consistent with one another.

ALP policy ENV DM5 requires a biodiversity net gain on site, and the Local Planning Authority are comfortable that, within this context, this can be achieved by way of ecological enhancements such as Swift and Bat boxes integrated within the proposed development. This has been secured by way of condition. The proposal is in accordance with ALP policy ENV DM5.

TRANSPORT & PARKING

The proposal is in a sustainable transport location and WSCC Highways have raised no objections,

subject to conditions, regarding the safety of the proposed access arrangements despite the limited detail provided upfront in this respect. The properties each have four bedrooms and in this area, would require 3 No. parking spaces as outlined by the WSCC Parking Standards and corroborated by the Arun Parking Standards. Each dwelling will feature three parking spaces in accordance with this guidance.

The provision of EV Charging points (1 per dwelling), suitable secure cycle parking provisions (2 No. cycles per dwelling), and the finalised details of the proposed access arrangements will all be secured by suitably worded conditions.

The proposal is in accordance with ALP policy T SP1.

FLOOD RISK & DRAINAGE

The site is located within Flood Zone 3 in the future (2111) when accounting for climate change. The lifetime of new residential development is assumed to be 100 years in accordance with NPPG Paragraph: 006 Reference ID: 7-006-20220825.

Paragraph 11(d) of the NPPF states 'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

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

Paragraph 11(d)(i) of the NPPF refers to Footnote 7 which states 'The policies referred to are those in this Framework (rather than those in development plans) relating to... areas at risk of flooding...'

Footnote 63 of the NPPF states 'A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving:... land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use...' This requirement is reiterated by ALP policy W DM2 and NPPF Paragraph 181.

The proposal has been supported by a Sequential Test that provides recent searches for land for sale within a 3-mile radius that is available for development. This 3-mile radius covers Pagham, Aldwick, and roughly half of Bognor Regis and Bersted. Paragraph: 027 Reference ID: 7-027-20220825 of the NPPG states '...In applying paragraph 175 a proportionate approach should be taken...', and Paragraph: 027a Reference ID: 7-027a-20220825 of the NPPG states 'For a non-major housing development, it would not usually be appropriate for the area of search to extend beyond the specific area of a town or city in which the proposal is located, or beyond an individual village and its immediate neighbouring settlements.'

The proposal is for a single dwelling, the lowest quantity of housing possible for a Non-Major Housing Development (which can be from 1-10 dwellings). The search area covers a three mile radius which includes the host parish, Aldwick, and half of Bognor Regis and Bersted. In this instance, the search area is proportionate to the scale and nature of development and is acceptable.

Neither Pagham nor Aldwick have a Neighbourhood Plan or associated allocations, and the Council's HELAA sites do not review potential development sites for less than five dwellings. There is limited evidence of alternative development sites for single dwellings that may be reasonably available within the search area at this time. The searches identified only one site to be available, however, the site is not

located within the Arun District and is not, therefore, suitable. The applicant's searches have not identified any incidental sites within the search area and the Arun District that could be concluded as reasonably available alternatives for this proposal. Officers have no strong reasons to dispute the findings of the Sequential Test and its conclusions are accepted.

The applicant has provided a Site-Specific Flood Risk Assessment which confirms the site will be at risk of tidal flooding. As it is necessary to consider residual risk, the undefended scenario must be considered in the event existing tidal flood defences are breached, overtopped now or in the future. It cannot be assumed that these defences would be upgraded/improved to defend against rising sea levels.

During the 0.5% AEP undefended scenario in 2070, the front driveways of the site would be subject to approx. 0.02-0.12m of flooding with no flooding elsewhere on site. The site would remain absent of tidal flood water during the 0.5% AEP defended scenario in 2070. Neither instance would result in the endangerment of the property or individuals within the dwellings.

During the 0.5% AEP defended scenario in 2115, flood depths would reach 0.20-0.21m in depth within the front driveways, but would not reach the remainder of the sites. In the undefended 0.5% AEP scenario in 2115, however, flood depths would be between 0.69-0.75m in the front driveways, reducing as the site extends back to the southeast and at approx. 0.45m in depth at the locations of the dwellings.

Ground levels across the site tend to vary slightly based on the values derived from the nodes and the predicted flood depths provided by the EA. At Node 3 (located at the existing dwelling), the ground level is approx. 4.29mOD, which aligns with the FRAs assertion that ground levels at the site are approx. 4.26mOD. The finished floor level of the ground floor of the new dwelling is to be set at a minimum of 4.56mOD as recommended by the FRA. This allows for a 0.3m freeboard above that of the predicted 0.5% AEP defended tidal flood event in 2115 and ensures the dwelling would remain free from flooding. During the 0.5% AEP defended tidal flood event in 2115, however, there would be limited flooding of the ground floor at approx. 0.18m.

The proposed dwelling would remain unaffected from tidal flooding in all flood scenarios except for that of the 0.5% undefended scenario in 2115. The proposal would remain safe from tidal flood risk for the large majority of its 110-year lifetime, and would only be at risk after 2115 if the tidal flood defences were to be breached or overtopped, and not upgraded/improved. At such a time, flood depths in the dwelling would be very low and only pose a risk that would damage property and would not pose any significant risk to individuals. First-floor safe refuge would also remain.

The NPPG is clear that "Flood risk" is a combination of the probability and the potential consequences of flooding. In this instance, for the reasons outlined above, the new dwelling would be sufficiently safe from tidal flood risk for its lifetime and in the unlikely event of damages from tidal flooding in the future, mitigations have been proposed to ensure the dwelling could be repaired and brought back into use quickly after such an event.

It is material the existing dwelling is to remain in place and is currently a bungalow with four bedrooms at ground floor and no first-floor accommodation. The proposed development to the existing dwelling relocates two of the bedrooms to first-floor and would enable first-floor safe refuge in the unlikely event of a 0.5% AEP tidal flood in the future. This is a net betterment of the flood risk to the existing dwelling. As extensions ('minor development') to an existing dwelling, this component is also exempt from the requirement of the Sequential Test.

Since the most recent updates to the Environment Agency's Flood Map for Planning on 29 January 2026, the anticipated surface water flood risk to this property has changed. There is no risk to almost the full site, but there are some very limited sections of very low surface water flood risk (1 in 1000) along the

east boundary within the rear garden. The mapping demonstrates that there is no potential risk to the dwellings themselves nor the majority of the amenity space. There is no identified harm in respects of surface water flood risk.

The site has been identified as being at moderate-high risk of groundwater flooding within the Groundsure Report attached to the FRA. This appears to be contradicted by the GeoSmart report provided which identifies a low risk of groundwater flooding at the site. It is also of note that the Local Planning Authority have no historic records of groundwater flooding at the site. However, the Groundsure report outlines that during a 1 in 100 groundwater flood event, groundwater levels could rise to a depth of 0.25m above ground levels and that basements could become inundated as a result. Ground levels vary in the surveyed area and on site, so it is unclear where 0.25m above ground level would refer to. However, the new dwelling's ground floor levels are to be approx. 0.27m above ground level, and so the dwelling would remain largely unaffected during such a flood event and residents would not be endangered.

Based on the information provided, and subject to the finished floor level of the new dwelling being set no lower than 4.56mOD, the proposed dwelling and its occupiers would remain sufficiently safe from flood risk for the lifetime of the development.

The proposal is in accordance with ALP policy W DM2, and Paragraphs 170, 173-176, and 181 of the NPPF.

The proposals have been accompanied by proposed Surface Water Drainage details, but these have not been supported or informed by relevant groundwater investigations to appropriately assess the likelihood of infiltration being viable on site, nor has it demonstrated how or whether the proposed alternative discharge location (minor watercourse approx. 15m north of the site) would be viable. It does however, identify that there is a likelihood of a surface water drainage solution being available given there are two separate potential outfall locations. Nonetheless, the proposal involves the construction of 1 No. dwelling (and extensions to an existing) and the site is not within the Lidsey Wastewater Treatment Catchment Area. Subsequently, at this time, this scale of development does not meet the Local Planning Authority's consultation requirements for the Drainage Engineers to review the scheme. Surface water drainage details will be addressed during the Building Regulations stage. It is noted that the proposal are intend to include permeable paving and soakaways in accordance with ALP policy W DM3.

ENERGY EFFICIENCY & CLIMATE CHANGE

Policy ECC SP2 of the ALP requires all new residential and commercial development to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low carbon energy supply systems such as solar panels. The inclusion of energy efficient materials such as double glazing is expected, and to ensure that adequate decentralised, renewable, and low carbon energy supply systems are provided, a condition has been attached.

The proposal is in accordance with ALP policy ECC SP2.

WASTE COLLECTION

The proposals would have had sufficient space to accommodate bin storage facilities to the front of the site, details of which are to be secured by way of condition to ensure they align with the recommendations of Section H.07 of the Arun Design Guide and ALP policy D DM1.

These waste storage facilities will also have sufficient and convenient access to the highway for kerbside collection in accordance with policy WM DM1 of the ALP.

SUMMARY

The proposal is in accordance with relevant Development Plan policies and as such, it is recommended for approval subject to Section 106 agreement and the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

SECTION 106 DETAILS

This application is recommended for approval subject to conditions and a Section 106 agreement to secure a sum of £962 towards the cost of delivering measures to avoid, or mitigate to an acceptable level, the potential harm caused to Pagham Harbour by the Development by way of recreational pressures.

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:

- Proposed Dwelling (Location Plan) (Dated: January 2026).
- Proposed Dwelling (Street Scene) (Dated: January 2026).
- Proposed Loft Conversion and Internal Alterations (Proposed Floor and Roof Plans No. 44) (Dated: January 2026).
- Proposed Loft Conversion and Internal Alterations (Proposed Elevations No. 44) (Dated: January 2026).
- Proposed Dwelling (Proposed Floor and Roof Plans No. 44a) (Dated: January 2026).
- Proposed Dwelling (Proposed Elevations No. 44a) (Dated: January 2026).

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

- 3 No 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 existing building to be altered, the proposed building, and the extension to the existing building have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the alteration, construction, and extension of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character of the area by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policies D DM1 and D DM4.

- 4 No development above damp-proof course (DPC) level shall take place until details of all walls and fences to be erected have been submitted to and approved by the Local Planning Authority and the new dwelling shall not be occupied until such walls and fences associated with them and the whole site have been erected.

Reason: In the interests of amenity and the character of the area in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 5 No development above damp-proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the planting and seeding season, prior to the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 6 Prior to any development of the new dwelling above damp-proof course level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures including 1 No. integrated Bat brick, and 1 No. integrated Swift brick, shall be submitted to and approved in writing by the Local Planning Authority.

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

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

- 7 Prior to the occupation of the new dwelling hereby approved, the proposed vehicular access for the existing dwelling (No. 44) must be constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highways safety in accordance with Arun Local Plan policy T SP1.

- 8 The new dwelling hereby approved shall not be first occupied until covered and secure cycle parking spaces have been provided to serve the new dwelling in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

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

- 9 Before the new dwelling hereby approved is occupied a dustbin enclosure(s) shall be provided as part of the development in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority. The drawings must include the siting and design of the enclosure.

Reason: To safeguard the appearance of the property and the amenities of the area and ensure ease of kerbside collection in accordance with Arun Local Plan policies D DM1 and WM DM1.

- 10 No internally or externally located plant, machinery equipment or building services plant shall be operated on the site until an assessment of the acoustic impact arising from the operation of all such equipment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014+A1:2019 and shall include a scheme of attenuation measures to mitigate the adverse impacts identified in the acoustic assessment. The scheme shall ensure that the rating level of noise emitted from the proposed building services plant is 5 dB less than the prevailing background sound level (LA90) or show compliance with the current version of the MCS 020 a) guidance. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter. Any agreed attenuation measures shall be permanently maintained in good working condition.

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

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

- 11 The new dwelling hereby approved shall be constructed in accordance with the recommendations set out within Section 6.2 of the 'Level 3 Flood Risk Assessment' (Dated: 16 February 2026) prepared by Flood Plan Ltd, including a 'Flood Free FFL' which must be the minimum finished floor level of 4.56mOD identified within Section 4.6 of the same.

Reason: To ensure the dwelling is sufficiently safe from flood risk for the lifetime of the development in accordance with Arun Local Plan policy W DM2 and Paragraph 170 of the NPPF.

- 12 Prior to occupation of the approved dwelling, the applicant or developer shall provide the

dwelling with an electric vehicle charge point 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 point 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 point 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.

- 13 The approved dwelling 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 the 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.

- 14 The new dwelling hereby approved shall not be first occupied until the car parking proposed for both the existing and the new dwelling has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide sufficient car-parking spaces for the existing and proposed dwellings in accordance with the Arun Parking Standards and Arun Local Plan policy T SP1.

- 15 Demolition/construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 16 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>

- 17 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that

they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage. Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-network-permits-andlicences/highway-licences/west-sussex-county-council-licences/dropped-kerbs-orvehicle-crossovers-for-driveways/>

- 18 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the NPPF.