

Recommendation Report for Planning Permission

REF NO: P/60/22/PL

LOCATION: Grey Barn
Church Lane
Pagham
PO21 4NX

PROPOSAL: Replace existing conservatory with front porch, single storey rear extension and dormer windows. Extension of existing garage and part conversion to tourist accommodation. This application may affect the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Planning permission is sought for the replacement of the conservatory on the western elevation with a new porch, a single storey extension to the eastern elevation, the replacement and enlargement of the dormer on the left side of the western roof plane, a new dormer window on the left side of the eastern roof plane of the dwelling (Grey Barn) and the extension and part conversion of the garage and store to tourist accommodation.
SITE AREA	1140.00 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	18 dwellings/hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the development.
BOUNDARY TREATMENT	Flint wall along northern boundary, eastern wall of outbuilding/garage to the east and close boarded timber fence panels with dense tree line to the south and west.
SITE CHARACTERISTICS	One and a half /two storey former barn building converted into residential use. One of the gable walls is built of local Bognor Rock, with brick detailing, whilst the other walls are rendered and painted. There is a slate half hip roof and two chimneys of brick construction. Multi-paned casement windows are painted white. A single garage/outbuilding along with an attractive flint wall forms a courtyard area. There is a mature garden to the South and West.
CHARACTER OF LOCALITY	The proposal building forms a group with the neighbouring listed buildings There are three Listed Buildings to the west: Little Welbourne - a Grade II listed Building, Garage of Little Welborne to the west of the house, a Grade II Listed and The Old Vicarage - a mid- to later C18 house, listed, Grade II. The site lies to the west of the historic settlement of Pagham close to the harbour, on the south side of Church Lane in a

predominantly rural area and the context of a historic farmstead. Church Lane is a narrow road which gives access to the Pagham Harbour Local Nature Reserve.

There is no relevant site history.

REPRESENTATIONS

Pagham Parish Council: No objection.

One letter of objection:

- Request a condition be added which requires parking of all occupants and visitors to be either in the garage space or on the lane, not on their land.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The applicant in their Design and Access Statement (para 6.27.) states: 'An additional parking space to serve the main dwelling will be provided by increasing the size of the garage. Parking for guests will be provided on the forecourt in front of the garage and also along the lane.'

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

DRAINAGE ENGINEERS: No conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

PRINCIPAL CONSERVATION OFFICER: The proposal would not cause harm to the significance of the non-designated heritage asset or the setting of the listed buildings. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. The contents of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) should be taken into account.

WSCC, HIGHWAYS (LHA): Further information was requested to provide additional details clarifying if the existing wall is to be removed to accommodate the parking provision. The requested information was provided; there are no changes proposed to the existing access.

NATURAL ENGLAND: No objection but requires the Local Planning Authority to carry out an Appropriate Assessment to assess the impact of increased recreational disturbance arising from the proposal on the Pagham Harbour Special Protection Area (SPA) & Ramsar Site.

ECOLOGY CONSULTANT: Object due to insufficient ecological information on designated sites (SPA) and European Protected Species (bats). The applicant submitted the required document and there is no objection from the Ecology Consultant, subject to conditions.

COMMENTS ON CONSULTATION RESPONSES:

NATURAL ENGLAND - An Appropriate Assessment (AA) was issued to Natural England on the 07/09/2022. With regard to European sites, Natural England does not object to the granting of this permission subject to the advice given.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area Boundary - in designated Countryside

Grade II Listed Buildings

Pagham Harbour Access Management Zone A

Within 2km of Pagham Harbour and Bognor Reef SSSIs

Special Control of Adverts

Flood Zone 3a climate change 2061

C-classified road.

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
HDM4	H DM4 Conversion of rural buildings for residential use
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity
HERDM1	HER DM1 Listed Buildings
HERDM6	HER DM6 Sites of Archaeological Interest
QESP1	QE SP1 Quality of the Environment
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021
PDS	Pagham Parish Council's Village Design Statement by PaghamPC

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.

There is no made Neighbourhood Plan for Pagham.

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 would comply with relevant Development Plan policies in that it would support tourism and have an acceptable impact on visual amenity, heritage, residential amenity, highways, flooding and drainage, ecology and Pagham Harbour SPA/Ramsar and SSSIs.

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

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES

The key issues are principle, tourism related development, design and visual amenity, residential amenity, heritage impact, highways/traffic, flooding and drainage, ecology and Pagham Harbour SPA/Ramsar and SSSIs.

PRINCIPLE:

The site lies in a countryside location, outside the Built-Up Area Boundary (BUAB), where the principle of development is generally unacceptable. Arun Local Plan policies SD SP2 and C SP1 seek to focus new development within the Built-Up Areas and exert a strict control over new development in the countryside to protect it for its own sake. Countryside development will only be permitted in exceptional circumstances or where there is a strong justification for a countryside location. One of these criteria under ALP policy C SP1 is that countryside development will be permitted where it is:

- (d) for the diversification of the rural economy.

Paragraph 11 of the NPPF sets out a 'presumption in favour of sustainable development'. The development would represent sustainable development as per the three objectives in para 8 of the

NPPF: meeting the economic objective by supporting tourism business, meeting the social objective by improving tourism facilities and meeting the environmental objective in terms of its visual/ecology impact and being in a sustainable location in terms of close to the edge of the BUAB and local transport modes. A bus stop at the junction between Church Lane and Pagham Road (approx. 1/3 mile to the East of the site) provides a regular bus service which connects directly to local amenities / attractions, Bognor Regis, Chichester and the wider bus network

Para 182 of the NPPF removes the presumption in favour in cases where a proposed development is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. This application has been subject to an Appropriate Assessment and is not likely to have a significant effect on a protected habitat site (see more detail under 'Pagham Harbour SPA/Ramsar and SSSIs' section of report). The NPPF's presumption in favour would still apply in this case.

This proposal would further diversify and contribute to the rural tourism economy and represent sustainable development. It would accord with ALP policies SD SP2 and C SP1 and be acceptable in principle.

TOURISM DEVELOPMENT:

Policy TOU SP1 encourages sustainable tourism development where it protects as well as promotes the main tourism assets and sets out a number of criteria for tourism growth. Policy TOU DM1 supports proposals for development, including expansion, which are likely to attract visitors provided that it meets certain criteria.

The Arun Local Plan policy TOU DM1 advises: "When assessing proposals for visitor attractions, facilities or accommodation outside of the BUAB these will generally be expected to be small-scale and relate to quiet recreation and enjoyment of Arun's countryside."

As requested in paragraph 84 of the NPPF: "Planning policies and decisions should enable (c) sustainable rural tourism and leisure developments which respect the character of the countryside".

The development would support tourism by providing a vital contribution to the small-scale tourist accommodation, providing the opportunities for sustainable tourism and promoting the main tourism assets of the waterfronts and the complimentary visitor uses of the fertile coastal plain in conjunction with agriculture. The proposal would result in creation of 1 tourism unit of a small-scale located in a curtilage of an existing dwelling and would relate to the enjoyment of Arun's countryside, therefore in an accordance with ALP policies TOU SP1 and TOU DM1 and paragraph 84 of the NPPF.

VISUAL IMPACT:

Policy D SP1 of the Arun Local Plan (ALP) states development should reflect the characteristics of the site and local area, including in respect of scale, character, materials, finish and architectural details. Policy D DM1 looks at aspects of form, quality of design, impact and landscaping. Policy D DM4 of the Local Plan requires accordance with 5-point criteria when assessing applications for extensions and alterations to existing buildings.

The Arun Design Guide Supplementary Planning Document (SPD) adopted 25th January 2021 is a material consideration in the determination of applications. Part N.O1 deals with building conversion and stresses whilst the existing land use of buildings often makes a valuable social or economic contribution to their context, particularly in countryside areas, it is also important to ensure that under-utilised,

redundant or derelict buildings do not remain vacant but are able to enjoy a new lease of life through sensitive conversion and adaptation.

Pagham Village Design Statement sets development criteria for the area of Church Lane which require to preserve character of the area, avoid intrusive or unneighbourly developments adjacent to the Nature Reserve/SSSI area, preserve existing boundary walls, hedges and trees where possible and provide adequate car parking without detracting from the visual amenity of the area.

A poorly designed conservatory would be replaced with an open, oak framed porch (the oak will be left to silver) with a lean-to roof covered with natural slate. This would enable the elevation to be better viewed. The roofline of the single storey extension to provide a utility would follow that of the existing house and would replicate the existing materials. The additional dormer window would be of the same design and size as an existing on the right side of eastern roof plane and would not cause any harm due to its position and form. One of three existing dormer windows on the western roof plane would be enlarged, respecting the design and the size of the others. It is very positive that all of the UPVC windows would be replaced with traditional painted timber windows.

Whilst the description states 'extension to existing garage', the plans make it look more like the existing garage and storage area would be predominantly replaced by a new structure. The existing structure is clearly subservient to the main dwelling and forms a courtyard to the main dwelling therefore it would be expected that the positive materials would be retained on site and reused as part of the proposal. The double garage with a storage space above is proposed to the front with holiday accommodation, comprising living/dining/kitchen area at the ground floor and 2 bedrooms and bathroom in the roof space, behind. The applicant has been asked to amend the proposed annex to reflect elements of the host dwelling. The annex would be considerably wider than an existing outbuilding, would be well set back, the existing materials would be re-used along with a new high-quality materials and finishes. The resultant structure would be an acceptable element of the street-scene.

Part of an existing flint wall (approximately 2m) and an entrance timber gate would be removed. Rich vegetation and the trees in between Grey Barn and the proposed annex would maintain the relationship between these two structures. The development would mainly be visible from Church Lane; however, it would not be read in the context of the existing listed buildings to the west of Grey Barn and would not appear visually prominent and would integrate sufficiently with its surroundings.

The proposal reflects the character of the site and would have an acceptable impact on the visual amenity of the area, in accordance with the NPPF and Arun Local Plan policies TOU DM1, D SP1, D DM1 and D DM4. the Arun Design Guide and Pagham Village Design Statement.

HERITAGE:

Arun Local Plan policy HER SP1 requires that development proposals must conserve or enhance the historic environment, which includes the highest protection being given to designated heritage assets including listed buildings/structures and their settings. ALP policy HER DM1 seeks to protect the settings of listed buildings. ALP policy HER DM6 seeks to protect remains of archaeological significance.

Paragraph 195 of the NPPF requires the LPA to identify and assess the significance of any heritage assets affected by a proposed development. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset 'great weight' should be given to the heritage assets' conservation.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in the exercise of planning functions, with respect to any buildings or other land in a conservation

area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Although Grey Barn is not a listed building or a locally listed building, it is an attractive structure and of an age which means that it can be identified as a non-designated heritage asset. It forms a group with the neighbouring listed buildings and makes a positive impact upon the street scene. There are three Listed Buildings of an architectural and historical significance to the north-west and north-south of the building:

- Little Welbourne, an early C18 house, is a Grade II Listed Building experienced from the lane to the front and is partly experienced in the same views as Grey Barn.
- Garage of Little Welborne to the west of the house, a Grade II listed Building, C18 outbuilding built into the back wall of the medieval chapel of St Andrew.
- The Vicarage, a mid- to later C18 house extended or altered to the rear. It is a Grade II Listed Building located behind Grey Barn, separated by a dense tree line.

The proposals would not detract from the existing building or the setting of the neighbouring listed buildings. It was noted that where inappropriate change has previously been undertaken that the intention is to reverse this (the replacement windows will be an enhancement, subject to their design/details). A new means of dividing the courtyard would be introduced. To understand how this would look like/what materials and treatment would be used, a condition will be imposed to provide his information.

The Principal Conservation Officer is of the opinion that the application would not cause harm to the significance of the non-designated heritage asset or the setting of the listed buildings subject to the design, materials, and appearance of the alterations. Details of windows and doors should be provided by way of condition.

The site is in an Archaeological Notification Area. Given the scale and nature of the development it should have no impact on and would protect any potential archaeological remains on this area of the site.

The change of use to tourist accommodation would be within an existing residential curtilage. The introduction of such a use would ensure the long-term maintenance of the building, the previous version of which was not maintained and detrimental to the non-designated heritage asset.

The proposals would conserve the historic environment, including listed buildings, their settings and areas of archaeological interest, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, and ALP policies HER SP1, HER DM1 and HER DM6.

RESIDENTIAL AMENITY:

Arun Local Plan Policy D DM1 requires new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy QE SP1 states the Council requires all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity. Policies QE DM1 seeks to protect residents from noise pollution.

Paragraph 130 (f) of the NPPF requires development to have a high standard of amenity for existing and future users.

The proposal is for an enhancement of the dwelling and the conversion of an existing garage/storage to tourist accommodation located to the east of the host property within a reasonable separation distance.

No habitable windows are proposed at the first-floor level of elevation facing to the host property.

The proposal due to its position, scale and design would not give rise to any perceptible additional noise and disturbance to local residents and that residential amenity would be protected, in accordance with the ALP policies D DM1, QE SP1 and QE DM1 and the NPPF.

ACCESS & PARKING:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking. ALP policy T DM1 requires new development be located in easy access of established non-car transport modes/routes.

Paragraph 110 (NPPF) states it should be ensured safe and suitable access to the site can be achieved for all users. Paragraph 111 (NPPF) states development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The access would be via an existing vehicular access to the site from Church Lane and no changes are proposed. As the property is at the end of a 'dead end' lane, turning and manoeuvring of vehicles can safely and easily be undertaken on the existing hammerhead.

The Council's Parking Standards (SPD) sets a need for 3 parking spaces and visitor parking at a ratio of 20% of the total number of residential units will be required. The plan indicates 2 parking spaces within a double garage and 1 allocated on the site which would satisfy the requirements. The SPD states that single garages must be at least 6m x 3m internally. The garage would be 6m x 6m internally (double garage). Whilst no measurement is given for double garages in the SPD, the Government's Manual for Streets states that these should be 6m by 6m. Parking for guests will be provided on the forecourt in front of the garage and also along the lane.

The Arun SPD requires cycle storage to cater for 2 cycles per dwelling. The application proposes a secure cycle store for 4 bicycles in the private courtyard space.

Taking into account the above, the development provides for the transport demands created in accordance with paragraphs 110 and 111 of the NPPF, Policy T SP1 of the Arun Local Plan and Arun District Council Parking Standards subject to suggested conditions.

FLOOD RISK:

The site lies in current Flood Zone 1 with predicted increase to Flood Zone 3a climate change 2061. ALP policy W DM2 states development in areas at risk from flooding will only be permitted where certain criteria have been satisfied.

Paragraph 168 of the NPPF states that applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55.

The site is within Flood Zone 1 and therefore no need to consider the sequential or exception tests or to propose mitigation and this is appropriate. As there are no objections to the principle of drainage and that future flood risk has now been appropriately considered, there is no conflict with ALP policy W DM2.

CLIMATE CHANGE:

ALP policy ECC SP2 requires residential development be energy efficient and incorporates decentralised, renewable and low carbon energy supply systems.

The applicant in their Design and Access Statement declares the development will incorporate renewable and low carbon energy supply systems, designed to adapt to impacts arising from climate change. Such measures include a wood burning stove and low energy services (including all LED lighting and A+ rated appliances), rainwater harvesting etc. The final specification is yet to be agreed.

As there are no details of the technologies or precise materials, a condition would be necessary to secure compliance with the policy.

PAGHAM HARBOUR SPECIAL PROTECTION AREA:

ALP policy ENV DM2 requires 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. A contribution of £871 per new unit was agreed by the Council's Cabinet on 10 April 2017.

Within Zone A development will only be permitted in exceptional circumstances where the developer is able to demonstrate there will be no detrimental effects on Pagham Harbour.

The site lies in the designated Zone A. Whilst the proposed development is for a replacement and change of use of an existing structure, the holiday accommodation will result in a net increase in a slight intensification in occupancy. An Appropriate Assessment to assess the impact of increased recreational disturbance arising from the proposal on the Pagham Harbour Special Protection Area (SPA) & Ramsar Site was sent to Natural England for review. They did not object to the granting of this permission subject to securing appropriate mitigation. The submitted Preliminary Bat Roost Assessment satisfied the requirements of an Ecology Consultant, subject to conditions.

Based on the net gain of people (equal to one dwelling), the applicant has agreed to the £871 contribution, and this is secured by the signed Section 106 legal agreement.

There is no conflict with ALP policy ENV DM2 of the Arun Local Plan.

BIODIVERSITY:

Policy ENV DM5 of the Local Plan requires development schemes shall 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 proposal is for the conversion of rural outbuilding. The potential impact of the proposal could be blended into the environment; landscape provision to the dwelling and improvement with native species infill plus further boundary screening is required and information on Biodiversity Net Gain will need to be provided.

The opportunity to increase biodiversity and mitigation measures will be secured via condition.

SUMMARY:

The conversion of this property represents an efficient use of urban land without compromising the visual amenities or character of the area, highway safety or the amenities of nearby residential occupiers. The proposal would not have an unacceptable impact on ecology and Pagham Harbour SPA/Ramsar and SSSIs. It represents sustainable development.

For the above reason paragraph 11(c) of the NPPF is triggered. The development proposal accords with an up-to-date development plan and is recommended that permission is granted subject to conditions and the agreed legal agreement.

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 decision will be granted with a s106 legal agreement relating to a contribution of £871 towards the cost of delivering measures to avoid or mitigate to an acceptable level, the harm caused to the Pagham Harbour Special Protection Area by the proposed intensification of the existing buildings.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant 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:

Dwg No N.1130 - 01 Rev B, Site and Location Plan dated 27-07-22;
Dwg No N.1130 - 04 Rev A, Proposed Ground and First Floor Plan;
Dwg No N.1130 - 05 Rev B, Proposed Elevations of Gray Barn;
Dwg No N.1130 - 08 Rev G, Proposed Ground and First Floor Plan;
Dwg No N.1130 - 09 Rev F, Proposed Elevations of Garage & Annexe;
Dwg No N.1130 - 10 Rev E, Proposed Sections and Street Scene of Garage & Annexe;

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

- 3 Prior to installation of any doors or windows precise details of design/appearance, specification, glazing bars, glazing, method of opening, location within the window opening and finish shall be submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the details so approved. Such information should be provided in the form of drawings and sections of an appropriate scale.

Reason: In order that the rural character of the building is preserved in accordance with policies H DM4 and D DM1 of Arun Local Plan.

- 4 The repointed masonry wall to the south and east elevation shall conform with a sample panel of materials and details which shall be submitted to and approved by the Local Planning Authority before work to walling is commenced.

Reason: To preserve the appearance and special character of the building for the future in accordance D DM1 of the Arun Local Plan and the NPPF.

- 5 Detailed drawings of the arrangement/layout of divided courtyard along with materials and treatment to be used shall be submitted to and approved by the Local Planning Authority before work to courtyard is commenced and the development shall proceed in accordance with the details so approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings and their settings of visual quality in accordance with policies D DM1/D DM4 of the Arun Local Plan.

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

Reason: To provide car-parking space for the use and in accordance with policy T DM1 of the Arun Local Plan.

- 7 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the proposed plan. The facilities shall thereafter be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with policy TSP1 and the Arun Parking Guide SPD.

- 8 Notwithstanding the provision of Part C, Class C3 Dwelling House to the Schedule of the Town and Country Planning (Use Classes) Order 1987, (or any order revoking or re-enacting

that order), the annex hereby approved shall be used for the purpose of holiday accommodation only and for no other purpose, including any other purpose within Class C3 of the Order, without the prior permission of the Local Planning Authority. The property shall not be occupied by any persons for a total period exceeding 28 days. The owner shall maintain a register of occupiers for each calendar year which shall include:

- 1) The full names, occupation, permanent address and contact telephone numbers of all of the person(s) occupying the premises; and
- 2) The start and end date of the stay and the purpose of the stay. It shall be made available for inspection by the Local Planning Authority at any time, and a copy of the register shall be supplied to the Local Planning Authority at the end of each calendar year.

Reason: The site is located outside the settlement boundary where the provision of dwellings is only acceptable if justified on agricultural grounds or are required for a purpose for which a countryside location is necessary and in accordance with policies C SP1 and TOU DM1 of the Arun Local Plan.

- 9 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 extensions (including porches or dormer windows) to the annex shall be constructed or buildings shall be erected within the curtilage 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 policy D DM1 of the Arun Local Plan.

- 10 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

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

- 11 Prior to its installation, full details of any external lighting together with their mechanisms and timings of operation shall be submitted to and approved in writing by the Local Planning Authority. The use of timed black out blinds and/or low transmission glazing is required for all roof lights due to the biodiversity sensitivities of the site and not disturb or harm wildlife, given the priority woodland habitat. The lighting shall be installed in strict accordance with the approved details and shall thereafter be maintained and operated in accordance with those details. No other external lighting shall be installed on the site.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2, D DM1 and ENV DM5.

- 12 Within 3 months of commencement of development a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Bat Roost Assessment (South Downs Ecology, November 2022), 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 occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with the ALP policy ENV DM5 and relevant paragraph of the NPPF.

- 13 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Bat Roost Assessment (South Downs Ecology, November 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with the ALP policy ENV DM1 and relevant paragraph of the NPPF.

- 14 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 15 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 16 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £871 towards the cost of delivering measures to avoid or mitigate to an acceptable level, the harm caused to Pagham Harbour by the Development.
- 17 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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 National Planning Policy Framework.