

Miss Z Toppin
Planning Department
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Dear Miss Toppin,

Re: AB/14/21/HH - Riverside House, 2 Fitzalan Road, Arundel, BN18 9JS

We are instructed on behalf of the 4 owners in Otters Quay, Arundel in relation to an application (AB/14/21/HH) at Riverside House, 2 Fitzalan Road, Arundel, for the Reinstatement of timber jetty using existing 3 piles adjoining the property.

Our clients' concerns relate principally to matters of visual impact and residential amenity given both the location and setting of the proposed works and the proximity of the proposed jetty to our clients private gardens, given its potential likely use.

The site is a sensitive, quiet, riverside location and of both landscape and ecological value within a historic context. Notably, the applicants have not sought to set out the purposes of the proposal, nor how it derives from planning policy, or propose mitigation of the impacts it will have.

A particular concern is the impact on privacy and amenity, and my client's enjoyment of their own properties, as is illustrated by figure 3.

So far as planning policy is concerned, the relevant adopted development plan comprises the Arun Local Plan 2011-2031, the Arundel Neighbourhood Plan, and the Arun District Design Guide SPD. The River Arun, which the development will encroach upon, is also governed by the national planning policy document the South Inshore and South Offshore Marine Plan.

The Arun Local Plan seeks to protect the riverside setting, with the application site being designated as a Biodiversity Opportunity Area, which requires that, in accordance with Policies ENV and DM3 that development seeks to "*retain and sympathetically incorporate locally valued and important habitats, including wildlife corridors and steppingstones*" and "*be designed in order to minimise disturbance to habitats.*"

This is replicated in the made Neighbourhood Plan at Policy 2, which gives great weight to *conserving landscape and scenic beauty...* However, there is no evidence provided as part of the application which suggests that this has been attempted or achieved through the development proposals, nor is it specified what mitigation will be provided.

The information submitted does not identify the impacts of development or how this has been assessed nor does it explain whether and how a net gain in biodiversity is achieved, which, given the designation the site is situated within, would appear to be the bare minimum that would be expected. This however, is not achieved.

Were the development proposal to be approved it would clearly lead to both extensive physical development in this sensitive location, but also would lead to a substantial increase in activity which would have a negative impact on the surrounding biodiversity. Unfortunately, the application provides little information upon which a proper discussion can be made, and there is little evidence that the full implications of development have been assessed, or what mitigation is proposed.

The Arun Local Plan contains several policies of relevance to the proposals, Policy LAN DM1 sets out that the character and natural features of the District should be respected by new forms of development. This is repeated in the Arun Design Guide which states that “*new development must ensure that the existing character and sense of place of an area is respected and enhanced.*”

As has been set out above the bankside area is a quiet undisturbed riverside zone, and of considerable habitat value. The former mooring areas have over the years been removed to create what is in essence a bankside meadow area, and this would be disrupted by the proposed development.

Policy LAN DM2 requires that “*development will not be permitted within the area identified on the Policies Map which would adversely affect the views of the town of Arundel...*” Given the location of the application site, the development would likely be a discordant feature and would disrupt wider views of the centre area.

Policy D DM1 requires development to “*have minimal impact to users and occupiers of nearby property and land.*” As has been previously set out the development proposals will lead not just to a significant visual impact, owing to its proposed height, but also to overlooking and privacy loss. This will lead to a significant loss of amenity and our clients ability to experience the quiet enjoyment of their properties. This would be contrary to Policy QE SP1 which requires that “*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...*”

As has been set out above, in our client’s view the development will have a pronounced negative impact on the local environment, in particular residential amenity and the sensitive riverside environment. Further, given the purposes my clients are advised will be made of it, there is also the potential for substantial disturbance contrary to policies D DM1 & QE SP1 of the Arun Local Plan.

As is detailed in figures 1 and 2 below, there is no precedent for this form of development to the west of Arundel Bridge, and the natural and undeveloped nature of the bankside is plainly evident.

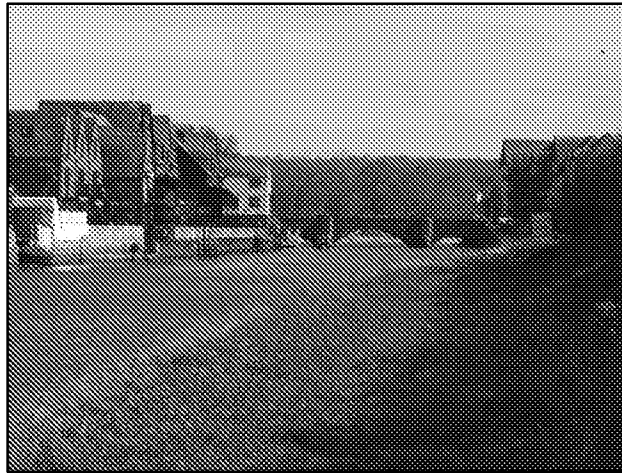


Figure 1 – View east along the River Arun, looking towards Arundel Bridge.

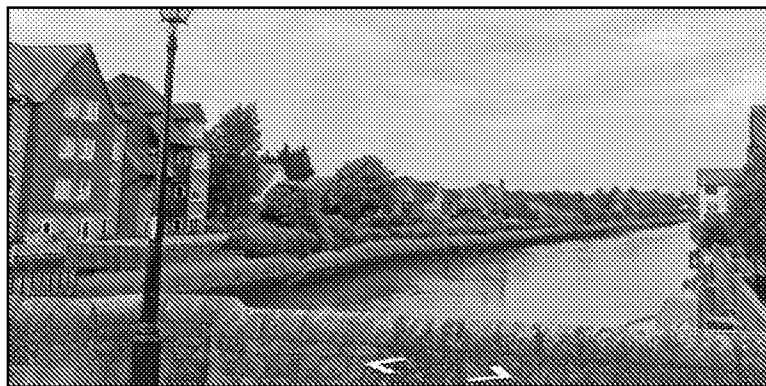


Figure 2 – View west along the River Arun, looking towards the application site from Arundel Bridge.

Fig 3 below provides an illustration, prepared by our clients as to the potential impacts of the development given the dimensions of the proposal as set out on the information submitted, and from this the extent to which there will be a loss of privacy and amenity is very clear.

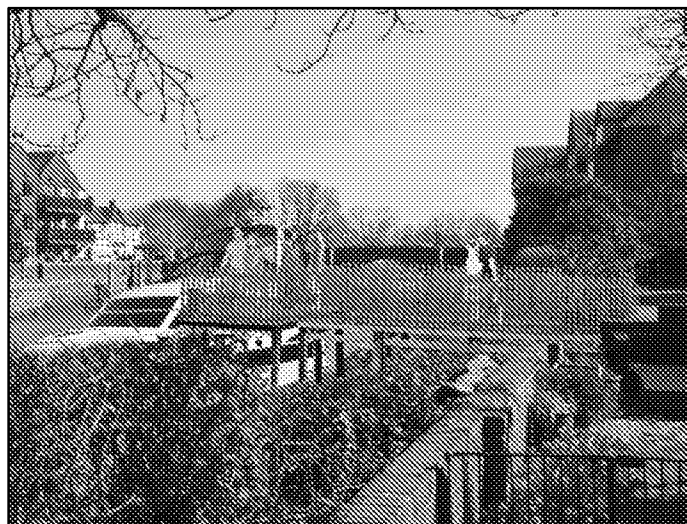


Figure 3 – Artist impression on the development proposals and the potential impact on residents of Otters Quay amenity, viewing west along the River Arun, towards the Arundel Bridge.

As noted, the River Arun is designated as a Marine Plan area and as such is subject to the policies of the South Inshore and South Offshore Marine Plan.

Policy S-CO-1 sets out that “*proposals will minimise their use of space and consider opportunities for co-existence with other activities.*” Given the overbearing nature of the proposal and its scale the proposal is in conflict with policy.

Policy S-ACC-1 of the Marine Plan states that “*proposals, including in relation to tourism and recreation, should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on public access.*” The proposal clearly conflicts with the requirements of the Plan, as there has been little if any consideration of the impacts of development that will arise or the implications for public use of the riverside area.

Policy S-CC-4 states that “*proposals that may have a significant adverse impact on habitats that provide a flood defence...*” Due to the close proximity of the development proposals to the existing flood defences which would be situated to the south, the scheme would likely result in an adverse impact on the adjacent habitat, which could ultimately lead to worsening the issues relating flooding.

Given the extent of the conflicts with policy, we would urge refusal of the proposal. Can you confirm receipt of this objection and also advise on the reference of the matter to Members.

If you require any further clarification on the above, please do not hesitate in contacting me.

Yours Sincerely,



William Lloyd BSc (Hons) MSc
Planner