

Recommendation Report for Planning Permission

REF NO: LU/108/21/PL

LOCATION: River Villa, Sea Cadet H Q
Rope Walk
Littlehampton
BN17 5DE

PROPOSAL: Removal of derelict jetty & replacement with new jetty to enable access to the river for water borne activities. This site is in CIL Zone 1 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Planning permission is sought for the removal of derelict jetty & replacement with new jetty to enable access to the river for water borne activities.
SITE AREA	0.037 hectares
CHARACTER OF LOCALITY	The application site is located at the end of Old Ferry Road, an un-classified no-through road. The Sea Cadet H Q is also located on Old Ferry Road north east of Rope Walk. Both the application site and the Sea Cadet H Q are on the south west side of the River Arun. The north east side of Rope Walk is characterised by several marine related businesses. On south west side of Rope Walk are single and two storey detached residential properties. To the north west on the same side of the River Arun is a mobile home park.

No relevant recorded planning history.

REPRESENTATIONS

Littlehampton Town Council - support the application.

5 Letters of representations

- "A worthwhile cause. It will be nice to see the sea cadets waterborne again from their own facility";
- The new jetty will give young people the opportunity to experience water based activities and learn about water safety;
- The existing jetty is condemned;
- The sea cadets have not been able to experience the full potential of being a sea cadet;
- "Littlehampton Sea Cadets offers diversity and inclusion promoting positive aspiration and behaviours facilitating a healthy social environment";
- The new jetty will support the youth that attend in experiential learning;
- The new jetty can and will be used by other youth groups apart from the sea cadets;
- The sea cadets have not been able to do any meaningful boating for six years; and
- Our young people need to do regular boating to built their confidence.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environment Agency - No objection. Advice given to Applicant regarding flood warnings.

WSCC Highway Authority - The Highway Authority 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,

Coastal Engineers - No objection.

Marine Management Organisation - No comment

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site: Littlehampton - West Bank (SD4) and Littlehampton Growth Area

DEVELOPMENT PLAN POLICIES

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

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
EMPSP2	EMP SP2 Economic Growth Areas
HSP2B	H SP2b Greater Littlehampton Urban Area
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk

[Littlehampton Neighbourhood Plan 2014 Policy 21](#) Proposals to increase the recreational and tourist use of the River Arun

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 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 is located within a strategic housing allocation inside the built-up area boundary in compliance with the Development Plan. The proposal is considered to comply with relevant Development Plan policies.

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.

CONCLUSIONS

Principle

The application site is within the Littlehampton - West Bank (SD4) site allocation, therefore Local Plan Policy H SP2b (Greater Littlehampton Urban Area) is applicable. This policy states that development proposals must demonstrate compliance with key land use, design and infrastructure requirements which are specific to the allocation including amongst other things to provide for boat building or other marine related commercial users.

The application site is also within the Littlehampton Economic Growth Area, therefore Local Plan Policy EMP SP2 (Economic Growth Areas) is applicable. This policy states, "Knowledge and cultural based employment as well as retail, leisure and office developments will be directed to the Economic Growth Areas to promote their vitality, viability and regeneration".

Littlehampton Neighbourhood Development Plan Policy 21 (Proposals to increase the recreational and tourist use of the River Arun) states, "The Neighbourhood Plan supports the implementation of any scheme that maximises the use of the river".

The Sea Cadets propose to use the proposed jetty to facilitate boating activities taking place on the River Arun for leisure purposes in accordance with the above policies, therefore the principle of development is acceptable.

Design

Policy D SP1 requires all development proposals to be derived from: "a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development". Policy D DM1 requires development proposals to have regard to a number of aspects some of which include and which are relevant to this proposal are appearance / attractiveness, scale and aspects of form and quality.

The existing jetty is in a condemned state, it is breaking up and creating hazards to navigation. The

existing jetty measures 25m in length with a 4m by 4m landing stage at its end. The proposed jetty is slightly to the north west of the existing jetty and measures 33m in length and has a 11.5m by 2.5m landing stage. The proposed jetty and landing stage like the existing would be constructed in hardwood.

The proposed new jetty is functional and fit for purpose for use as a launching station for watercraft for boating activities. The increase in the length of the jetty increases its function for the launching of watercraft and the increase in the area of the landing stage provides increased safety for its users. The use of hardwood for the construction material of the jetty a traditional choice of material for a structure of this kind due to its longevity and water compatibility.

The design of the jetty is acceptable, neither the Marine Management Organisation or the Coastal Engineers have raised objection to the proposal. Furthermore in the email dated 15 January 2021 the Littlehampton Harbour Master stated that the Littlehampton Harbour Board supported the application.

Therefore, it is considered that the proposal would comply with Local Plan Policy D SP1 (Design).

Flood Risk

Policy W DM2 requires, "Development in areas at risk of flooding, identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA), will only be permitted where all of the following criteria have been satisfied". These criteria in summary consist of a sequential test, a Flood Risk Assessment, identification of sustainability benefits, identification of adaption and mitigation measures, flood warning and evacuation plans, new site drainage systems.

A Flood Risk Assessment dated 6 June 2021 has been submitted as part of the application. This document identifies the site as being in Flood Zone 3 which means the site has a high probability of flooding. As the existing jetty did and the proposed jetty would be used for launching watercraft, this type of development is designated as "water compatible development" by the NPPF. Water compatible development is considered suitable for Flood Zone 3.

The FRA concludes by making logical and sound recommendations to lower the risk and / or consequences that flooding may cause to the proposed development.

It is considered that the proposal would comply with Local Plan Policy W DM2 (Flood Risk).

Highway Matters

Policy T SP1 states that the Council will support transport and development which: ...f. Explains how the development has been designed to: ...iii. create safe and secure layouts for traffic, cyclist and pedestrian whilst avoiding street clutter.."

A brief document entitled Method Statement and RA Vehicle Movement was submitted as part of the application. This document details safety measures for vehicles within the site. The proposed measures are logical, sound and necessary given the close proximity of parked vehicles to the river and will ensure the safety of motorists and other uses of river locality. The Highway Authority were consulted but raised no objection to the proposal as the proposal would not unacceptable impacts on the operation and safety of the highway. It is considered that the proposal would comply with Local Plan Policy T SP1 (Transport and Development).

The proposal is in accordance with the Development Plan and therefore, planning approval is recommended subject to conditions.

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.

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

APPROVE CONDITIONALLY

- 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 and documents:

Location Plan

Location Plan DP/V/392 P8

Proposed Pontoons Elevation & Section SOL-3234-SC01-001

Existing Jetty Block Plan

Additional River Bed Block Plan

Proposed Block Plan

Existing Block Plan showing other land in control of Applicant that isn't part of development site

Flood Risk Assessment dated 6 June 2021
Method Statement & RA Vehicle Movement
Scope of Works

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 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.