

PLANNING SUPPORT STATEMENT

IN RELATION TO:

**'Demolition of existing building, and erection
of a new building to provide 10 new flats,
comprising 9 no. two bedroom flats and 1 no.
one bedroom flat'**

**2-13 Duke Street, Littlehampton,
West Sussex, BN17 6EU
(Formerly 'The Tap & Barrel' Public House)**

April 2017

1. INTRODUCTION

This proposal seeks planning permission for the replacement of an existing building (formerly in use as a Public House), with a three storey building, comprising 10 No. residential units (9 no. two bedroom flats and 1 no. one bedroom flat).

This Planning Statement is submitted in support of the above planning application. The statement describes the site, its surroundings and the proposal itself. The Planning Policy background is considered along with an assessment of the proposal in light of the relevant policy and all other material planning considerations.

2. SITE CONTEXT

The site, which is subject to this planning application comprises of a two storey building, consisting of flint walling with brick quoins. The property has a pan tiled roof and an outside conservatory area.

The building was previously in use as a Public House, known as 'The Tap and Barrel' bar (Use Class A4). Unfortunately, it had to close its doors after approximately a year due to the business failing. Consequently the building is now vacant, and has been for in excess of 6 months. Prior to the public house use being established the building was in an A1/retail use, which we understand the most recent use being previously as a garden centre and locksmith, although prior to the change of use to a public house the building had again been vacant. Historically the existing building was used as 7 No. terraced dwellings.

The application site has an area measuring approximately 602 sqm / 0.06 hectares.



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Fig 1. Aerial view of the site and its surroundings (*courtesy of Promap*)

The site is sustainably located, positioned within a central town centre location, within easy reach of a host of services and facilities in the main Littlehampton Town Centre.

This proposal seeks to demolish the existing non-merit building on the site and replace it with a three storey building, comprising 10 No. residential units.



3. THE PROPOSAL

This proposal seeks planning permission to demolish a fairly non-descript building and replace it with a three storey building, comprising 10 No. residential units.

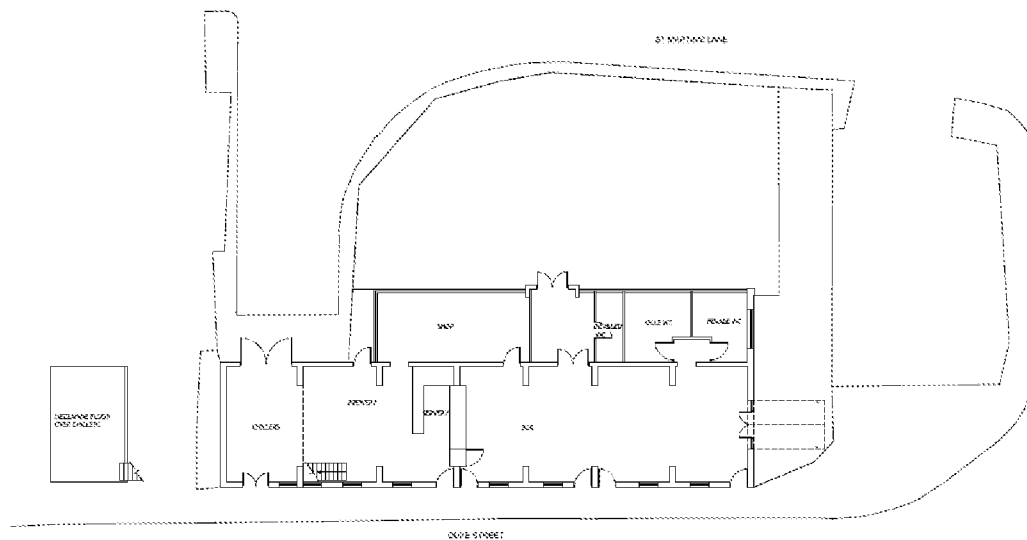


Fig 2. Existing ground floor site layout

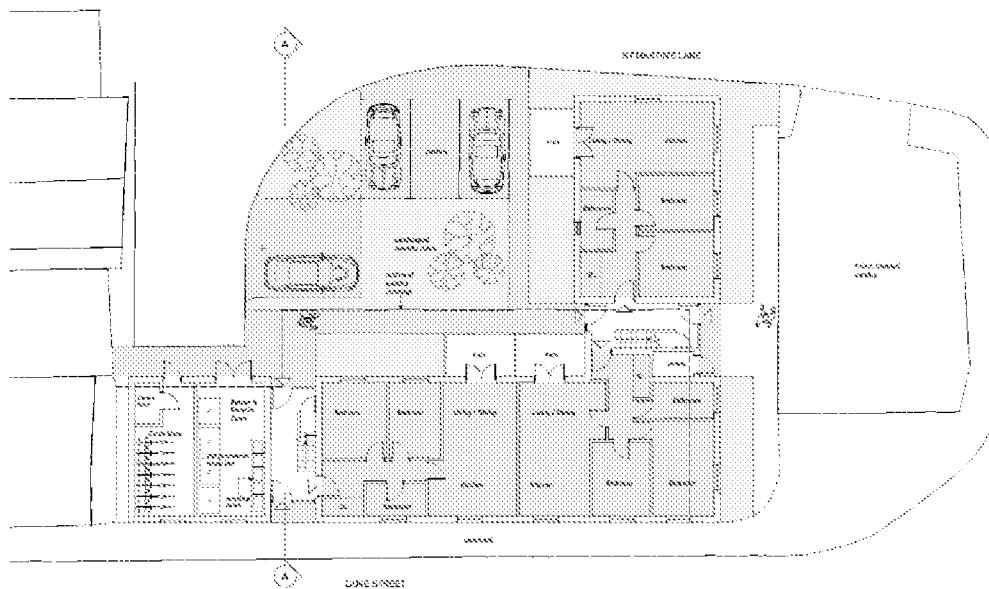


Fig 3. Proposed ground floor site layout

The proposal would comprise the following schedule of accommodation:-

Type of Accommodation	Gross Internal Floor Area (sqm / ft)	No. of Flats
1 Bedroom Flat	41 / 441	1
2 Bedroom Flat	61.5 / 662	6
2 Bedroom Flat	65 / 700	3
Total:	605/ 6512	10

With regard to the proposed materials, the external walling of the new building would comprise clay face brickwork at the lower storey, with through coloured render above. The roof would consist of natural slates with lead flashings and clay ridge and hip tiles. All windows and doors are to comprise powder coated aluminum units. Finally, the balconies would comprise powder coated steel balustrades and timber decking.

Each flat would be provided with its own private amenity space in the form of 1 No. patio/balcony area. Further, a landscaped communal 'courtyard' area would be provided on site.

With regard to parking provision and as detailed on Fig 3 above, 5 No. off-street bays will be provided on site. In addition, covered, secure cycle parking will be provided.

Finally, communal refuse/recycling storage to be provided on site (commercial refuse bins equivalent to 240 litres/flat).

4. POLICY CONTEXT

a. National Planning Policy

(i) National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published on 27th March 2012, and is the most-up-to date Government planning policy document.

The focus of the new NPPF is achieving sustainable development, the definition of which is summarised in paragraph 6 as being the whole of paragraph's 18-219 of the Framework. Paragraph 7 goes further as it specifies that there are three dimensions to sustainable development: economic, social and environmental. Under the social role it states that the planning system should provide *"the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment..."*

Under paragraph 11, the NPPF confirms that planning law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan.

Paragraph 14 is an important element of the NPPF. It states that: *"at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*. It details that objectively assessed needs, such as housing, have to be met unless *"any adverse impact of doing so would significantly and demonstrably outweigh the benefits"*. This is assessed against all the policies of the NPPF, as a whole, or specific policies relating to SSSI, Green Belt, Local Green Space, AONB, Heritage Coast, National Park, designated heritage assets, flood risk locations and coastal erosion. It also states that decision makers should be *"approving development proposals that accord with the development plan without delay"*.

The NPPF advises that a set of 12 core land-use planning principles should underpin both plan-making and decision-taking, and these principles are listed under paragraph 17. Although the NPPF omits the wording that was present in the draft which referred to the default position of “yes” to applications for sustainable development, it does retain the significant change that requires a response to market signals. Each of the bullet points are important, but of particular note is no. 3 where it details that planning should *“proactively drive and support sustainable economic development to deliver the homes... that the country needs”*, No. 4 notes the importance of high quality design and No. 5, details that account should be had of the character of different areas. Finally, no. 11 requires development to be focused *“in locations which are or can be sustainable.”*

Section 4 is entitled ‘Promoting Sustainable Transport’. Under paragraph 28 it advises that different policies and measures are required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. This section also highlights the importance of LPA’s and/or developers working with transport providers, and also that Travel Plans are key documents. With reference to car parking, paragraph 39, states that if a LPA provides local parking standards, account should be had of *“the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles”*.

Section 6 of the NPPF is entitled ‘Delivering a wide choice of high quality homes’. It seeks to *“boost, significantly”* the supply of housing, whilst placing more reliance on windfall sites as a source of housing supply. Realistic historic windfall delivery rates and expected future trends are legitimate sources of supply. Paragraph 49 states *“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*.

Section 7 discusses the need for good design. Under paragraph 58 the NPPF provides what appears to be a clearer and more robust approach to design than in PPS1 paragraph 33 – 39.

The NPPF wishes to avoid unnecessary prescription or detail (paragraph 59), whilst the key criteria of scale, density, massing, height, landscape, layout, materials, access, relationship to neighbouring buildings and relation to the local area more generally remain. Paragraph 58 expands on this by stating that developments should: *“function well and add to the overall quality of the area... establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit... optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping”*.

The crucial caveat of PPS1 paragraph 35 remains within the NPPF. That is that good design goes far beyond aesthetic considerations, with paragraph 61 specifically referring to *“integration of new development into the natural and historic environment”*.

b. LOCAL PLANNING POLICY

(ii) Arun District Local Plan (2003)

This document continues to be the most relevant local planning policy document.

The site is within the defined built-up area boundary for Littlehampton. The site is also classified as being within the ‘Principle Shopping Area’, but is outside the ‘Primary Retail Frontage’ Policy Area.



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Fig 4. Extract from Arun District Local Plan (Inset N: Littlehampton Town Centre)

Saved **Policy GEN2** relates to the Built up Area Boundary, where the development or redevelopment will be permitted, subject to other policies in the plan.

Saved **Policy GEN7** is a general policy that relates to The Form of New Development and states that "*planning permission will only be granted for schemes displaying high quality design and layout*". Developments are considered in relation to a number of criteria.

Saved **Policy GEN8** relates to the Development and provision of infrastructure and notes that "*development will not be permitted unless the infrastructure or facilities made necessary by the development are available or will be provided at the appropriate time*".

Saved **Policy GEN20** relates specifically to the provision of open space within new development.

Saved **Policy GEN9** relates to Foul and Surface Water Drainage, whilst saved **Policy GEN12** relates to Parking in new development.

Saved **Policy GEN20** relates to the Provision of Public Open Space within New Development

Finally, it is noted that **Policy AREA 19** relates to Primary Shopping Frontages. The application site lies outside of this area, but does lie within a wider Principal Shopping Area. The explanatory text of this policy states that *"in each Principal Shopping Area it is clear that different sections of these areas serve a different function. The primary shopping frontages are of most significance in respect of retail uses, whilst other areas serve a complementary function by adding to the services and facilities provided by the shopping centre. Principal Shopping Areas are identified on the Proposals Map for Bognor Regis, Littlehampton and Rustington."*

(ii) Supplementary Planning Guidance

The following Supplementary Planning Guidance is considered of relevance to this proposal:-

- Open Space & Recreation Standards - October 2000
- Parking Standards - October 2000

(iii) Emerging Local Plan

The Arun District Local Plan 2011-2031 was submitted on 30th January 2015 for independent examination to the Secretary of State for Communities and Local Government via the Planning Inspectorate. The Local Plan sets out a vision for the future of Arun District up to 2031. The Council have previously suggested that in determining development proposals at this time, regard should be given to the policies contained

within this emerging Local Plan, as it is considered that some weight in the planning balance can now be given to this document. However, this weight must be tempered by the fact that the Plan is still to undergo its examination in public.

Further, the Local Plan Examination-in-Public was formally suspended by the Planning Inspector in February 2016 following a Procedural Meeting and initial Hearing sessions. The suspension was granted to enable the Council to undertake further work and produce proposed modifications to the Local Plan in response to a range of observations and concerns identified by the Planning Inspector.

We are aware that a report was presented to the Councils Local Plan Sub Committee on 6th March 2017, which presented the proposed modifications that have been produced to the Arun Local Plan for approval so that they can be published and representations be invited accordingly by the Council for consideration by the Inspector. Following the six-week publication period, the modifications, together with representations received and all other supporting documentation produced by the Council, will be submitted to the appointed Planning Inspector in order to enable the Examination-in-Public of the Arun Local Plan to resume.

The modifications proposed constitute both 'minor' grammatical, and non-material changes to the Plan, and 'main' substantive material changes to the contents of the Plan.

A number of new evidence base studies have been produced and presented on an ongoing basis to the Local Plan Sub-Committee. These studies have been produced to inform and support the proposed modifications to the Local Plan.

It appears that the most significant modifications required to the Plan relate to the need for a substantial uplift to the housing requirements for the District. The latest evidence produced by GL Hearn (applying the approach endorsed by the Inspector through existing Hearings and interim conclusions) utilising the 2014 Sub-National Population Projections



and associated Housing Projections indicates that OAHN equates to 919 dwellings per annum, or 18,380 dwellings over the Plan period 2011 – 2031. This is significantly higher than the OAHN in the Submitted Local Plan (580 dwellings per annum) or the OAHN figure recommended by the Local Plan Inspector (845 dwellings per annum) in February 2016 following the OAHN Hearing.

The Council has proposed substantive modifications to chapter 12 of the Local Plan ‘Housing Delivery’ to reflect ‘testing’ of spatial options, Sustainability Appraisal, other evidence, and the substantial increase in OAHN for the District. These changes can be summarised as follows:-

- Chapter largely re-written;
- Updated references;
- New policies HSP1 and HSP2;
- New policies HSP3 - HSP5 relating to site allocations;
- Revised affordable housing mix HSP2.

Through the proposed modifications, Arun District Council is planning to meet an updated housing requirement. The proposed modifications to the Local Plan respond to the latest evidence, which indicates an OAHN equating to **919 dwellings per annum**.

(v) Neighbourhood Plan

It is understood that the Littlehampton Neighbourhood Plan was ‘made’ in November 2014. The following policies are considered of relevance to this application:-

- **Policy 1:** The Presumption in Favour of Sustainable Development.
- **Policy 2:** A Spatial Plan for the Town. This policy notes that future housing; economic and community-related development will be concentrated within the built up area boundary of Littlehampton.

- **Policy 3: Housing Supply.** This policy notes that *"the Neighbourhood Plan provides for the development of at least 200 homes in the period 1 April 2014 to 31 December 2029, above the existing commitments, which will include a requirement to provide affordable housing units in line with Arun District Council's affordable housing policy. These will be built on allocated sites and windfall sites"*.
- **Policy 6: Residential development involving the loss of community facilities.** This policy states that *"there will be a presumption against residential development that involves the loss of existing community facilities unless satisfactory proposals for the relocation of those community facilities have been implemented"*.



5. PLANNING ASSESSMENT

a. Planning History

(I) Application Site

According to the Councils online planning register, the site has the following planning history:-

- **Planning ref: LU/27/16/CLP/:** Certificate of Lawfulness for the proposed use of public bar area to allow for wedding ceremonies within existing A4 drinking establishment. Approved Conditionally 02-03-2016.
- **Planning ref: LU/301/15/DOC/:** Application for approval of matters reserved by condition imposed under LU/165/15/PL relating to condition 5 for a schedule of materials and finishes. DOC Approved.
- **Planning ref: LU/165/15/PL/:** Change of use from A1 shop to A4 Drinking establishment with ancillary shop & micro brewery. Cladding of existing conservatory. Approved Conditionally 26-07-2015.
- **Planning ref: LU/200/95/:** New shop entrance and canopy and additional gate in approved security fence. Approved Conditionally 13-09-1995.
- **Planning ref: LU/60/95/:** New entrance to shop and new perimeter fence and provision of pavement bollards on northern boundary. Approved Conditionally 20-04-1995.
- **Planning ref: LU/475/81/:** Conservatory type extension. Approved Conditionally 26-08-1981.
- **Planning ref: LU/486/77/:** Construction of a service road court to provide rear access to properties in High Street. Approved Conditionally 01-02-1978.
- **Planning ref: LU/453/77/:** Alterations & improvements for retail trading & storage use. Approved Conditionally 11-01-1978.
- **Planning ref: LU/58/77/:** Renewal of outline PP for redevelopment with shop on ground floor. Approved Conditionally 06-04-1977.

- Planning ref: Redevelopment with shops on ground floor and shops/ office on first floor and 2 flats on 2nd/3rd floors. Approved Conditionally 29-03-1974.

(ii) Adjoining Sites

We are aware that The Globe Inn, Duke Street, Littlehampton, which is located immediately opposite the application site (as detailed at **Fig 5** below shows), has the following planning history that is considered to be of direct relevance to our proposals:

- **Planning ref: LU/265/15/DOC/:** Application for approval of matters reserved by condition imposed under LU/80/15/PL relating to conditions 3,4 & 5 relating to conditions 3,4 & 5 relating to schedule of materials, refuse store & cycle parking. DOC Approved.
- **Planning ref: LU/80/15/PL/:** Change of Use of existing former Public House (A4 Use Class) to form 5 no. residential apartments (C3 Use Class) with associated external & internal alterations. Approved Conditionally.



Fig. 5 Plan showing the proximity of the application site to the former Globe Inn PH

b. Pre Application Enquiry

A pre-application enquiry to consider the *'erection of a 3 storey development with rendered and brick elevations and slate roof comprising 10 no. residential flats (8x2 bedroom and 2 x 1 bedroom) with parking for 10 vehicles'* was submitted to Arun District Council in December 2016.

A formal response was received from Mrs Anita Gardner, by letter dated 26th January 2017.

Within this response, Mrs. Gardner accepted the principle of development within her response, although raised a number of concerns relating to the following:-

- The need for justification for the loss of the brewery and pub use;
- The potential adverse impact of the proposed building on the character and appearance of the area; and
- Whether the proposal constitutes a suitable form of development.

Subsequent to this response, our clients and ourselves met with Mrs. Gardener and at this time presented her with revised drawings. These were broadly agreed as being acceptable subject to a reduction in height to one side of the building. This reduction (to 2-storeys) has been incorporated into the current plans, and it is our view that the proposal now presents an improved relationship when compared with the adjacent buildings on this side of the application site.

In response to Mrs. Gardner's comments regarding the loss of employment/commercial/pub use requirement, this application is accompanied by a commercial viability report, which clearly demonstrates that the continued use for a public house, or any other commercial use, is clearly not viable.

It is our view that the current proposal now fully addresses the two main issues that were raised during the pre-application stage.

6. PLANNING ASSESSMENT

a. Principle of Development

The application site is located within the defined built up area boundary for Littlehampton, where the principle of new development is accepted subject to other policies in the plan.

At the time of the pre-application enquiry, the Council reiterated this point, confirming that *"the site is located in an urban area where the principle of development is considered acceptable. Government Planning Policy supports effective and efficient use of land for sites such as this but also advises that new housing is well integrated with and complements neighbouring buildings and local area in terms of scale, density, layout and access."*

The site is sustainably located being close to the station and bus routes and one of the main pedestrian routes into the town centre.

The site lies outside the Primary Retail Frontage Policy Area, but within the Principal Shopping Area. It therefore serves a complementary function by adding to the services and facilities provided by the shopping centre of Littlehampton..."

b. Five year housing land supply

It is understood that Arun District Council **cannot** currently demonstrate a five-year housing land supply for the District at this time, as required by the National Planning Policy Framework. This point has been confirmed by the Council themselves within recent Committee reports, as well as within a large number of Appeal decisions. This evidence can be provided upon request.

The Council also confirmed this point within their pre-application response, stating that:

"the Council is unable to demonstrate an adequate 5 year supply of housing land as required by paragraph 49 of the National Planning Policy Framework (NPPF) and Policy GEN5 of the Local Plan is outdated. Furthermore, the

Examination into the emerging Local Plan was suspended by the Planning Inspector on the grounds that the Council's Objectively Assessed Housing Need (OAN) should be reviewed higher than that proposed in the Local Plan (580 units p.a). The Council therefore need to identify adequate land supply to meet the additional housing requirements. The OAN figure has now been increased to 919 units p.a as of October 2016. Additional strategic sites are being assessed and allocated to meet this higher figure.

The National Planning Practice Guidance (NPPG) provides clear guidance on the issue of the weight that can be given to both the adopted local plan and emerging or made Neighbourhood Plans where the District Council cannot demonstrate the 5 year supply of deliverable housing sites. Therefore the adopted development plan policies relating to housing supply are out of date and the emerging Local Plan policies carry limited weight at this time".

It is noted that the Neighbourhood Plan is over 2 years old, and its housing supply policy (Policy 3) was prepared at a time when the District's housing requirements (as set out in the draft Local Plan at that time) were considerably lower than they are now in the current version of the District's draft Plan (as set out above). In any case, NP Policy 3 does not set a cap on housing to be provided in Littlehampton during the Plan period, with the policy requiring "at least 200 homes" during the plan period. In any case, our plans represent a windfall site, and in this respect our proposals are policy compliant, and it will be assist in meeting the District and towns considerable housing needs.

It is considered that the net increase of 10 No. units will make a valuable contribution to the Councils current severe housing shortfall. This is a significant material consideration that **weighs heavily in favour of the proposed development**. Development of deliverable and suitable land such as the application site, which lies within the built-up area, will reduce the pressure to release unallocated, Greenfield sites for housing.

c. Demolition of the existing building

The proposed non-merit building is not Listed and nor is it located within a Conservation Area. As such, there is no reason for its retention.

In addition, it will be noted that the Council raised no concerns regarding the loss of this building at the pre-application stage.

Further, it is important to acknowledge that the existing building is in a very poor state of repair and there is a clear and demonstrable need for **significant** investment in order to address this. This is highlighted in detail within the RICS Condition Report. A letter from the building surveyors (appendices to the accompanying 'Viability Report') provide a budget costing to remedy the wants of repair highlighted in the RICS Condition report. In summary we note that, collectively, the wants of repair are significant and a total financial sum in the region of £200,000 is estimated as being necessary to bring the property back to good repair – in shell state - ready for a tenant to commit to a full repairing lease and to undertake their 'fit-out' (as is standard for commercial property leases).

d. Loss of the Commercial/ Public House Use

The application is accompanied by a Commercial Viability Report, which has been prepared by Flude Commercial.

The report makes the following points and observations:-

- a. *"Ockendens chose to cease retailing from the property in the 1990's due, in part, to deteriorating trading as a result of growing competition from, at that time, out of town retail.*
- b. *Since Ockendens ceased retailing from the property it has been through a series of A1 and A4 uses all of which have, ultimately, closed / gone bust / relocated.*
- c. *Rent for the property has, at best, remained stagnant for over 20 years.*



- d. The demise of the pub sector in the UK – particularly over the past 10 years - is well known and well documented and there are a number of examples in Littlehampton which reflect the national picture.*
- e. The struggle of the high street is also well known and well documented with the growth of out of town retail, changing consumer habits and, over the past 10 years in particular, the rapid growth of online retail. The struggle being particularly acute in weaker centres which we would consider Littlehampton to be.*
- f. The property requires considerable financial investment to bring it back to good repair. The cost of such has to be considered when considering the viability of ongoing commercial use.*
- g. We are of the strong opinion that demand for the property from other potential commercial uses would be very limited if anything. If there were demand we are of the view that the rents / strength of covenant from such other commercial uses would be insufficient to make a letting to such occupiers financially viable.*

They go on to conclude that in their view, the "unviability of this property for A1 – A5 purposes has been well and truly proved by the experience of Ockendens as a retailer from the property until the mid 1990's and subsequently as a landlord to other A1 – A5 occupiers and their ultimate decision to sell the property in 2016.

Given the track record of the property over recent years, together with the well documented struggles of the high street and the pub sector, we can see no prospect for there being a commercially viable future for this property in A1 – A5 use.

We therefore strongly recommend that your client considers and pursues alternative uses / redevelopment of the property".

It is our view that the attached report robustly demonstrates that the existing building is no longer viable and change of use to a residential use would be wholly appropriate for this location.

As detailed above, it is also worthy of note that the building was historically used as 7 No. terraced dwellings and as such, this proposal is merely returning the site to its former use (Use Class C3).

e. Planning Precedent

It is clear that a planning precedent has been set for this form of change of use in this location, with the approval of a planning application for '*change of Use of existing former Public House (A4 Use Class) to form 5 no. residential apartments (C3 Use Class) with associated external & internal alterations*' (ref: LU/80/15/PL) at The Globe Inn, Duke Street, Littlehampton. This site lies directly opposite the application site, as highlighted at **Fig 5** above.

We are aware that the 'made' Littlehampton Neighbourhood Plan introduced **Policy 6** entitled 'Residential development involving the loss of community facilities'. This states that: "*There will be a presumption against residential development that involves the loss of existing community facilities unless satisfactory proposals for the relocation of those community facilities have been implemented*". We are aware that a Public House is often considered to be a community facility, despite being privately owned.

In dealing with the application to convert the Globe PH into 5 units (ref: LU/80/15/PL), the Council's Planning Officer at that time stated in his report that "*With regard to policy 6, the proposal does result in the loss of the public house as a facility. However, it is quite evident that the premises is not viable in public house use... In addition, there are a considerable number of licensed premises in the locality. It is not therefore considered that this is a case where a requirement to retain or re-provide the public house would be justified.*"

The case officer went on to conclude that the "*proposed development is in a highly sustainable location and contributes 5 units of much needed smaller accommodation to the housing supply. The proposal does not give rise to a significant harm to amenity or detriment to the appearance of the premises. The proposal brings back into use vacant*

premises and is considered to make a positive contribution to the locality. It is therefore recommended that planning permission be granted".

It is our view that this nearby proposal sets a clear planning precedent for the loss of an unviable Public House and the redevelopment of the site with residential units in this location. It is noted that paragraph 22 of the NPPF states that "*planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose*". It is also noted that the Arun District Local Plan includes no policy that seeks to retain employment or 'A' use class premises outside of the identified areas. Therefore the proposals to redevelop the site for residential purposes would not conflict with any Local Plan policy.

Although Policy 6 of the NP seeks to retain 'community uses' it is evident from the details provided by Flude Commercial's report (as summarised above at section 6d) that there is substantial evidence to demonstrate that the existing use is unviable. Further the conclusions of Officers in dealing with the near identical case at The Globe PH are equally applicable to our case – if not more so, given that the Tap & Barrel use was for a very limited period of time before this business failed.

f. Impact on the Character of the Area

The site is within the defined built up area boundary for Littlehampton. The site is also classified as being within the 'Principle Shopping Area', but outside the 'Primary Retail Frontage' Policy Area.

The site is sustainably located, positioned within a central town centre location, within easy reach of a host of services and facilities in the main Littlehampton Town Centre.

This proposal seeks to demolish a fairly non-descript building and replace it with a three storey building, comprising 10 No. residential units.

The building was previously in use as a Public House (Use Class A4), however due to proving to be unviable in this location; the business closed its doors after only a year.

The property is now vacant. It is noteworthy that prior to the public house opening, the former A1/retail use had also failed and the premises were vacant.

It will be noted that great care and attention has been paid to the siting of the proposed building, with it replacing the existing building in a like-for-like manner in terms of siting and footprint.

In addition, the proposal would represent an appropriate density, which would be wholly suitable for the site and comparable with other flatted forms of development within the surrounding area.

Attention has also been paid to the scale, form and design of the proposed building. Particular care has been given to the design of building within the context of the adjoining buildings and built up area. The proposed building would be of a modern design take on a vernacular style.

The proposal would be of a high quality design. Particular attention has been paid to designing a building that respects the established and mixed character of the area.

It is clear from the submitted street scene elevations (**Fig 6 and 7**) that three storey developments such as that current proposed are not uncommon within the surrounding area and the proposed development would be of a height comparable to those that surround and wholly in keeping with neighbouring development.

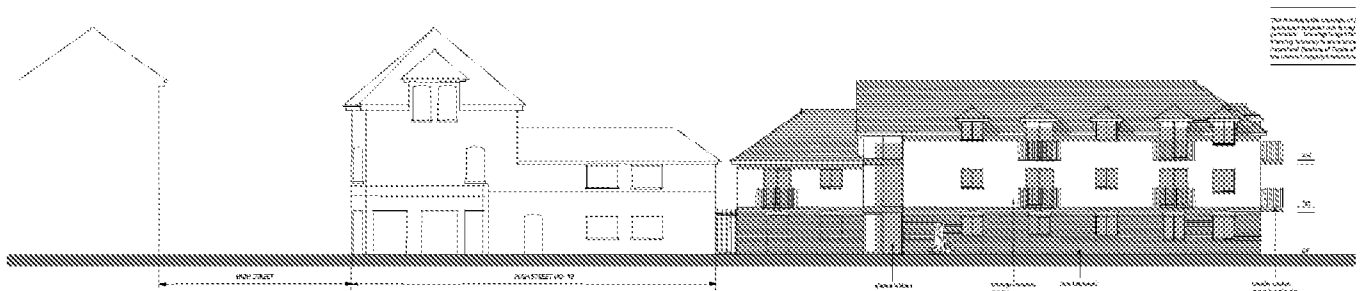


Fig 6. Extract from submitted Street Scene Elevation (East Elevation)

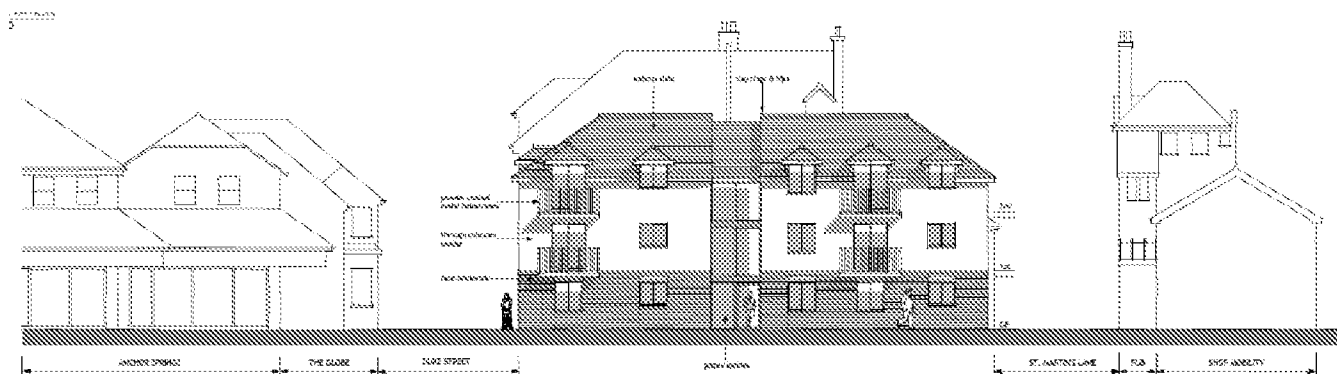


Fig 7. Extract from submitted Street Scene Elevation (North Elevation)

It is noted that some concerns were raised regarding the height of the building at the time of the pre-application enquiry, in relation to adjoining buildings. In direct response to these concerns, the proposal has been amended with a reduction to two-storeys being incorporated into the plans (refer to **Fig 5**). It is our view that the proposal now better responds to the adjacent buildings on this side of the site, and is demonstrated clearly that the proposals would represent a high quality form of development that would be wholly appropriate for this location. Further the proposed building would be of a comparable height to many neighbouring properties, and indeed of a lower height than several buildings in close proximity, such as those located on the High Street.

The proposals suggest a range of appropriate materials for the external finishes of the development. Although these matters would normally be controlled via condition, it is our view that the materials proposed, and the entire development in more general terms, would appear wholly appropriate to the site and make a welcome introduction and regeneration of the area.

It is considered that the proposed development would represent a high quality development in this location, which would appear perfectly in keeping with existing development which is greatly varied and would not detract from the character of the

surrounding locality. For these reasons outlined above, it is our view that the proposal is fully compliant with Saved **Policy GEN7** of the Arun District Local Plan.

g. Residential Amenity

The site is positioned on a corner plot, adjoining an area of public disabled car parking and St. Martins Road to the north and Duke Street to the east. The rear of the site backs onto a two storey building, which rises to three storeys and contains retail units at ground floor level.

As a result of the building replacing existing built form, the relationship between the proposed building and neighbouring properties will remain similar to that existing. Great care has been given to window placement, with particular care being taken to ensure no overlooking occurs to the properties towards the south of the site. Our client would be happy for non-habitable windows to be obscure glazed, and for this to be controlled via condition, if the Council considers it both reasonable and appropriate.

The Council assessed the proposal in terms of impact on residential amenity at the time of the pre-application enquiry. It stated that *"Arun District local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design and layout. It further indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. Planning Policy indicates that good design should contribute positively to making places better for people. In this case, it is considered that the proposed development would be acceptable on the residential amenities of neighbouring properties because the increased built form would not adversely affect the neighbouring residential dwellings by reason of materially adverse overbearing or overlooking effects"*.

Taking into consideration all of the above, it is our view that the proposed development would not have a detrimental effect on the residential amenities of the occupiers of any

neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light and would be fully compliant with **saved Policy GEN7** of the Arun District Local Plan.

h. Space Standards

The proposal has been designed to be fully compliant with the National Space Standards, with respect to the internal floorspace, and the emerging Local Plan external space standards.

The Government's Technical Housing Standards - national described space standards sets out minimum gross internal floor areas and storage. The proposed development would comprise 1 No. one bedroom flats (41 sqm) and 9 No. two bedroom flats (61.5 sqm and 65sqm).

Each of the flats would **exceed** the National Space Standards, which are set at 39sqm for one bedroom flats and 61sqm for two bedroom flats.

Further, the proposal would provide adequate storage space, in accordance with the Government's guidance.

With regard to external space standards, each flat would be provided with an area of private amenity space in the form of 1 No. patio/ balcony area. Further, a landscaped communal 'courtyard' area would be provided on site.

Saved Policy GEN7 of the Arun District Local Plan indicates that development will be permitted provided that amongst other considerations the proposal creates attractive places and spaces with the needs of people in mind.

Emerging Policy DDM3 of the Local Plan sets out external space standards that flatted developments will be expected to meet. These are set out in detail below:-



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Apartment developments will be expected to meet (or exceed) the following standards:

Number of bedrooms	Minimum area (sq.m) of private outdoor space per apartment.
	Out door space includes: balconies (minimum of 1.5m in depth), roof gardens, ground level patios or open space directly connected to the apartment.
1 bedroom	4 sq.m
2 bedrooms	5 sq.m
3 bedrooms	6 sq.m
4 bedrooms	7 sq.m
5 bedrooms	8 sq.m
6 bedrooms	9 sq.m
Each additional occupant	+ 1 sq.m

We can confirm that the proposal is fully compliant with the above guidance.

i. Access and Parking Arrangements

The proposed development will utilise an existing access and dropped kerb off St. Martin's Lane.

When considering parking arrangements, it will be noted from the submitted plans that the scheme proposes 5 No. off-street bays to be provided on site. In addition, covered, secure cycle parking will be provided.

The site is considered to be in a highly sustainable location, within a town centre location very close to public transport services; with the bus station being close by and the rail station within easy walking distance. The site is also close to other facilities upon which it could be expected to rely, and in addition is clearly located close to shops and a range of other services. It is therefore evident that residents of the proposed new development would have easy access to an excellent range of services and facilities, without having an

reliance on the private motor car. Consequently it is our view that the development is in an accessible and highly sustainable location. It is considered that the development is consistent with policy in respect of sustainable development.

It is noteworthy that The Globe Inn development detailed above, recently accepted just 2 No. parking spaces, noting that *"given that parking standards would give rise to a higher level of provision for a public house and in the light of nearby public parking and accessibility to public transport, it is not considered that the level of parking provision at 2 spaces (whilst not in accord with standards) would justify a refusal of planning permission. The use as 5 apartments would give rise to a considerably lower level of provision that would be required for a public house"*. It is our view that the proposed level of provision is therefore wholly appropriate in this location.

As such, it is considered that the proposal will not give rise to highway safety or car parking concerns, and the proposal would accord with Saved **Policy GEN12** of the Arun District Local Plan in that satisfactory access will be provided.

Please note that the access will be provided on an inclusive basis for all groups of residents and visitors.

j. Bin storage

At the time of the recent pre-application enquiry, the Council confirmed that *"for all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-*

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. For flats, the communal/bulk bins can be used on the basis of 240 litres of residual waste storage/bin per flat. Alternatively one 240 litre wheelie bin for each property can be provided. The same amount of storage space/bins for recyclable materials is required to be provided".

We can confirm that as part of the development, communal refuse/ recycling storage will be provided on site (commercial refuse bins equivalent to 240 litres/ per flat). As such, the proposal will be fully compliant with the Council's guidance in this regard.

As detailed on the proposed site layout plan, the refuse and recycling store will be suitably enclosed and located adjacent to Duke Street. As such, the Council's maximum pulling distances and vehicles access requirements will be complied with.

k. Landscaping

It will be noted that an area of communal landscaped amenity space is proposed as part of this development.

The Council stated at the pre-application stage that the Council's Parks and Open Space/ Arboricultural Officers looked at the application and as it is for a small development of residential flats they confirmed that there would be no requirements for POS or play area contributions.

Our client would be happy for conditions to be imposed regarding the proposed landscaping details of the site.

l. Affordable Housing and Infrastructure Requirements

Planning Policy Guidance states *"There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances are that;*

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area) [my emphasis]

- *in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty*
- *affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home."*

(Paragraph: 031 Reference ID: 23b-031-20161116)

As a consequence, this proposed development of 10 No. flatted units will **not** require a contribution to be made towards affordable housing provision, either on-site or in the form of a commuted sum.

Further, it is understood that a development of 10 No flats will not require open space provision.

However if this is not the case, we respectfully request that the Council planning case officer contacts us directly to discuss this matter in further detail.

7. CONCLUSIONS

In conclusion, the proposed development is considered acceptable for the following reasons:

- The application site is located within the Built-up Area Boundary of Littlehampton, as defined by Saved **Policy GEN2** of the Local Plan, where in accordance with paragraph 14 of the NPPF, there is a presumption in favour of sustainable development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- At this time, the Council are unable to demonstrate a five year housing land supply. It is our view that this weighs heavily in the application's favour; with a net gain of 10 No. residential units making a valuable contribution to the Council's current housing deficit.
- The building is not Listed and nor is it located within a Conservation Area. As such, there is no reason for its retention.
- The site was historically in residential use.
- The application is accompanied by a Commercial Viability Report, which robustly demonstrates that the existing building is no longer viable and change of use to a residential use would be wholly appropriate for this location.
- The principle of change of use from a public house to residential has been recently accepted at a site immediately opposite (The Globe Inn PH).
- The proposed development is of a design that would be entirely in keeping with the streetscene. The proposed building will relate sympathetically to existing development within the immediately surrounding area. The proposed development would represent a high quality development that respects the established characteristics of the surrounding area. The application therefore is fully compliant with saved **Policy GEN7** of the Arun District Local Plan.
- It is not considered that the proposed development would significantly harm the amenities of any neighbouring property in terms of loss of light, privacy or overlooking effect, due to the proposal replacing existing built form, as well as



distance, and property orientation, in full compliance with saved **Policy GEN7** of the Arun District Local Plan and **D DM3** of the Arun Local Plan 2011 - 2031 (Publication Version);

- The proposal would utilise an existing access and dropped kerb from St. Martin's Lane and provide ample parking provision for the development, which reflects surrounding developments.
- The proposal meets the Council's requirements in respect of Space Standards;
- The site is located within a highly sustainable location.
- The proposal meets all the necessary policy requirements, and will cause no significant harm to the character of the surrounding area. In our opinion the overwhelming weight of evidence supports the proposal as it is shown to comply with all relevant Development Plan policies.

As the proposal accords with the aims and objectives of national, regional and local guidance, the application site is a suitable for the proposed development and permission should therefore be granted.

April 2017