

Recommendation Report for Planning Permission

REF NO: LU/119/25/PL

LOCATION: Unit 11a To Unit 11d
Lineside Way
Littlehampton
BN17 7EH

PROPOSAL: Extension of industrial unit and installation of new palisade fencing gates to adjoin existing dropped kerb (resubmission following LU/303/24/PL). This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct an extension to an existing industrial unit alongside the installation of new palisade fencing gates which are to adjoin an existing dropped kerb.
BOUNDARY TREATMENT	Palisade fencing.
SITE CHARACTERISTICS	Industrial building.
CHARACTER OF LOCALITY	Industrial estate. The site sits on a corner plot at the junction of Lineside Way and Arndale Road, the railway line is located to the immediate west with a footpath under leading to the carpark serving a large supermarket/commercial estate.

RELEVANT SITE HISTORY

LU/303/24/PL	Extension of existing industrial unit and installation of new palisade fencing gates to adjoining existing dropped kerb. This application is in CIL Zone 4 (Zero Rated) as other development.	Refused 06-02-25
--------------	---	---------------------

LU/303/24/PL - This application sought to gain planning permission for the same development that is currently proposed. It was refused due to the lack of a sufficient Flood Risk Assessment and appropriate surface water drainage details.

REPRESENTATIONS

Littlehampton Town Council - No objection.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Economic Development - Support.

Environmental Health - No objections:

- Condition pertaining to contamination requested.

Environment Agency - No comment.

WSCC Minerals & Safeguarding - No objection.

Drainage Engineers - Objection (24/10/25).

Drainage Engineers - Objection (24/12/25):

- The Engineers full comments are available on the Arun District Council website under this applications reference number. Below is a summary of these comments, with emphasis on those that were grounds or objection.

- No objection subject to conditions for National Standards for SUDS (NSfS) 4, 5, and 6.
- Objections to NSfS Standards 1, 2, 3, and 7.
- The Flood Risk Assessment does not assess the hazard to site users from surface water flooding onsite nor the impact of displaced flood water from the development.
- The existing gravity surface water sewer crossing the site is to be diverted. Insufficient detail and evidence has been provided to show the diversion is feasible and Southern Water and Network Rail should be consulted on this matter.
- The diversion may impact the deliverability of the proposal and its SUDS design given the proposal seeks to discharge to this sewer. It has, therefore, not been demonstrated that a viable disposal location has been identified.
- The proposal seeks to incorporate planters for interception drainage, but no assessment of this has been provided to show compliance with the requirements of the NSfS.
- The site is at high risk of flooding from rivers/seas and surface water. The ability for the drainage system to function under flood conditions, and with a surcharged outfall, has not been demonstrated.
- The proposed peak discharge rate is over 5 times greater than the greenfield runoff rate, more than the maximum relaxation factor outlined in the NSfS and it is unjustified when alternative products that would allow a reduced rate are available.
- Onsite levels and exceedance paths are not shown.
- It is unclear if there are necessary easements to the railway line and whether the proposed surface water drainage would conflict with them. The sewer diversion is not likely to be permitted within the railway embankment and designs should be provided and Network Rail consulted at the planning stage to review this.
- The submission does not demonstrate that the scheme can be constructed satisfactorily and the designs are not in accordance with the requirements of the NSfS.

Southern Water:

- There is a sewer crossing/in proximity to the site. Its exact position needs to be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.
- The 675 mm diameter gravity sewer requires a 3.5m clearance either side to protect it from construction works and allow for future maintenance access.

- If consent is granted, the following condition is requested: 'The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers'.
- Guidance pertaining to SUDS provided.
- No Soakaways should be connected to the public surface water sewer.
- Noting an investigation of the sewer on site is required to confirm its various features/provisions before any decision can be made as to whether it would be acceptable for the proposed development to be built close to the sewer.
- If the sewer in question is no greater than 225mm in diameter and no deeper than 3m, the development may be allowed, subject to conditions.
- There is adequate capacity in the local surface water network to accommodate a surface water flow of 0.7 l/s for the above development at manhole reference TQ01028751.
- Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.

Network Rail - No objection:

- Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary.

Flood Zones 2 and 3.

Potential susceptibility to Groundwater Flood Risk ($\geq 75\%$).

At risk of current and future Surface Water Flooding (Low-High).

Within 15m of railway property.

WSSC Mineral Consultation Areas (Permitted Waste Sites).

Economic Growth Area.

2km Buffer for Site of Special Scientific Interest (Climping Beach).

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
EMPDM1	EMP DM1 Employment Land: Development Management
QESP1	QE SP1 Quality of the Environment
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
TSP1	T SP1 Transport and Development
ENVSP1	ENV SP1 Natural Environment
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp

[West Sussex Waste Local Plan 2014:](#)

West Sussex Waste W2 Safeguarding Waste Management Sites

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal complies with relevant Development Plan policies in that it would not harm the character and appearance of the area and is a modest extension of an existing employment site within an Economic Growth Area.

The proposal does not comply with relevant Development Plan policies in that it has not been demonstrated that the proposal can be viably or sustainably drained, and that the proposal is not sufficiently safe from flood risk.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

The site is in the Built-up Area Boundary and an established commercial area. The extension of the commercial unit is acceptable in principle subject to normal development control criteria such as visual amenity, highway safety, flooding, and parking being acceptable. Policy 1 of Littlehampton Neighbourhood Plan (LNP) supports proposals that do not have any adverse impacts which would significantly and demonstrably outweigh its benefits when assessed against the NPPF. The wider industrial estate has a mix of industrial/commercial uses, and the use complements the existing use.

The proposal is in accordance with Arun Local Plan (ALP) Policy SD SP2 and Littlehampton Neighbourhood Development Plan (LNP) Policy 1.

CHARACTER AND APPEARANCE

The proposed extension will be set back from the front elevation, well away from the highway. It will be constructed using materials matching the existing structure, with blockwork and cladding on the upper section. The design integrates well visually with both the host building and the surrounding industrial environment. The ridge height will match the existing structure in some areas. This is necessary for operational reasons and, as it does not exceed the current height, it is acceptable.

The proposal is of an appropriate scale and represents a subservient form of development, which will not significantly alter the appearance of the existing industrial unit.

While the extension will be visible from the highway and footpath, it will not appear out of character, for the reasons outlined above.

The proposal is in accordance with ALP policies D DM1 and D DM4 as it preserves the character of the area, is subservient in form, and consistent with other developments in the vicinity.

EMPLOYMENT

ALP policy EMP DM1 states that the Council will seek to enhance existing employment sites and premises in order to maintain a supply of good quality commercial sites and premises to meet the needs of businesses and the local economy. The proposal makes use of an underused part of the industrial site and therefore, accords with these principles.

The site is within a designated 'Economic Growth Area'. An extension to an existing business will allow growth of the business and potentially, in the future, allow for the refurbishment/reinvestment of the host unit. The proposal contributes significantly towards the economic objective of sustainable development and is consistent with this policy.

The proposal is in accordance with ALP policy EMP DM1.

RESIDENTIAL AMENITY

There are no residential properties in the vicinity of the site, which forms part of the Lineside Industrial Estate. Given the size, scale, and location of the proposed extension, it will not adversely affect the residential amenity of residents or the quality of the environment.

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

FLOODING AND DRAINAGE

The site lies within Flood Zone 3, indicating a high risk of flooding, and is within and surrounded by an area at risk of surface water flooding ranging from low to high risk. This surface water flood risk is projected to increase by 2040-2060. The roads immediately surrounding the site are also at high risk of surface water flooding. Paragraph 003 of the Planning Practice Guidance (PPG) states that

developments within Flood Zone 3 should be supported by a site-specific Flood Risk Assessment (FRA). FRAs provide standardised information to assess current and future flood risk, potential increases in risk elsewhere, proposed mitigation measures, and, where necessary, justification through the sequential and exception tests. As a 'minor development' the proposal does not require a Sequential Test and falls to be assessed against the NPPG 'Preparing a flood risk assessment: standing advice - Advice for minor extensions'. An FRA addressing these points has been submitted.

The proposed extension's floor area is less than 250 square metres, exempting it from the sequential and exception tests. As the development is for industrial use, which is classified as 'less vulnerable', it is generally acceptable within Flood Zone 3, as a degree of disruption is tolerable.

Paragraph 181 of the National Planning Policy Framework (NPPF), and footnote 63, stipulate that development should only be permitted where the Local Planning Authority is satisfied that flood risk will not be increased elsewhere, the development is appropriately flood resistant and resilient, residual risks can be safely managed, and safe access and escape routes are provided. ALP policy W DM2 also requires a site-specific Flood Risk Assessment.

NPPF Paragraph 164 states, amongst other things, that 'when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating... sustainable drainage systems'.

NPPF Paragraph 170 states that where development is necessary in areas at risk of flooding, the development should be made safe for its lifetime without increasing flood risk elsewhere.

NPPF Paragraph 181 states that development should only be allowed in areas at risk of flooding where...

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) it can be demonstrated that the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate.
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

NPPF Paragraph 182 states 'applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal...'

The submitted flood risk assessment confirms that Tidal flood water exclusion in the 'worst-case scenario' flood events when accounting for climate change is not possible. As such, it prioritises water entry and speed recovery from flood events rather than attempt to exclude the flood water. The measures for swift recovery proposed are acceptable.

As the proposal allows flood water entry in tidal flood events, it would not reduce tidal flood storage capacity in the area, and it is not in an area known to be at an increased risk due to multiple minor extensions. An offsite impact assessment is not, therefore, required for this scale of development.

The submitted flood risk assessment identifies that groundwater flood risk on site can be excluded with flood resilient materials (a tanking membrane) up to 0.3m above floor level This would presumably also work to exclude surface water. However, exclusion of surface and groundwater up to 0.3m would appear

to be unviable without further evidence. The submitted plans show that the units would be accessed via both pedestrian doors and large roller shutter doors. Neither raising internal floor levels to 0.3m above average external floor level, nor any flood mitigation measures to the access doors have been proposed. Tanking membranes alone would not be sufficient to ensure a continuous seal at this level. The proposal also includes an internal access to the neighbouring unit, through which flood water may be able to ingress into the unit. It is thought raising the internal floor levels to 0.3m above external ground level would be the most viable option. The NPPG 'Preparing a flood risk assessment: standing advice - Advice for minor extensions' states specifically, that 'plans also need to show how you are going to make sure the development is not flooded by surface water or groundwater. This could be by:

- diverting water away from buildings but safely managing it within the site.
- raising floor levels above the estimated flood depths of surface and groundwater flooding.

Whilst the proposal would seek to prevent floodwater from entering up to 300mm through the use of a tanking membrane, insufficient evidence has been submitted to confirm it would not enter the unit either through standard access doors or internally via the remainder of the building. The existing building having insufficient flood resilience measures is not reason to produce a significant extension of the unit that does not accord with current national flood resilience guidance.

Overall, the proposal is not sufficiently resilient to, and safe from, flood risk for its lifetime as it fails to account sufficiently for surface water and groundwater floodwater ingress.

The submitted FRA does seek to follow the relevant guidance for tidal floodwater management, ultimately having to follow a water entry methodology as it would not be possible to exclude flood water in the undefended tidal flood event scenario. Predicted flood depths in the event of a breach of flood defences (the undefended scenario) indicates flood depths of approx. 2.3m which would be a clear danger to life at the site. The FRA has identified the quickest emergency egress route for staff, and the site is within the EA's early flood warning area. The proposal is an extension of an existing industrial unit rather than a new unit, and a condition could have been imposed to secure the creation and distribution of a Flood Management and Evacuation Plan for the site and its staff, and to require evidence that the company operating on site have signed up to the EA's early flood warning alert system. Given the scale and nature of the proposals, the LPA would have been satisfied with these measures to ensure staff are able to evacuate the site swiftly if a flood event is anticipated.

Where surface water flooding is to be successfully excluded from a proposed development, it must be adequately accounted for on site. The proposals would likely fail to exclude surface water flooding up to 0.3m in full, but with consideration of the 0.1m raised internal floor levels, it would reduce the current storage area for on-site surface water flooding, nonetheless.

The proposal has been supported by a surface water drainage strategy which, despite amendment during the lifetime of the application, has failed to adequately account for the surface water runoff in accordance with the NSFS.

The councils drainage engineers have objected to the proposed surface water drainage design on multiple grounds.

Concerns have been raised in relation to the existing gravity sewer for surface water that is anticipated to run through the site and have a large diameter of 675mm based on Southern Water mapping/data. Should the position and diameter of the sewer prove accurate to the data available, the proposal would not likely be able to build over this sewer. As a result, it would need to be diverted, and a diversion has been proposed. No detailed evidence of the potential diversion has been provided beyond Dwg N. 003 P2 which shows a new route for the existing sewer that avoids the extension and relocates manhole point 8751 (point of connection). The diversion appears to show the sewer moving off site into the

boundary of the railway line embankment to the west. The ADC Engineers are not satisfied with the level of detail provided in respects of this diversion as it has not been confirmed as viable or agreeable with relevant third parties. Southern Water and Network Rail were consulted on this application originally (prior to the proposed diversion), but this was prior to the proposal seeking to divert the surface water sewer to which it seeks to connect offsite and within the railway boundary, as such, no comment in respect of the viability/agreeability of this diversion has been received from these parties. In any event, the proposed diversion has not been confirmed as viable or agreeable and has been supported by minimal detail. While separate legislative processes exist for the building over/diversion of a public sewer under Sections 159 and 185 of the Water Industry Act 1991, as the proposed connection point to the surface water sewer may require relocation as a result of the diversion, it is unclear that the sewer (and the proposed point of connection) could be relocated while ensuring the point of connection for the proposed drainage design is viable. Southern Water have confirmed that the sewer would have sufficient capacity to accommodate the proposals, but until the finalised location of the surface water sewer has been confirmed, it cannot be assumed that the currently proposed point of connection would be viable. As such, the point of connection to the disposal location is unconfirmed and whether it would be viable following the diversion is speculative.

No assessment of the proposed interception measures (planters) against the NSfS has been provided. As a result, it cannot be confirmed that the interception drainage requirements of the NSfS have been met.

The ADC Engineers have identified that no assessment of the impacts of surface water flooding has been provided within the submitted Flood Risk Assessment, and that the ability of the drainage system to function under flooded conditions and with a surcharged outfall has also not been demonstrated. The proposed discharge rate (0.7l/s) is also over five times greater than the greenfield runoff rate, and much greater than the maximum relaxation factor suggested by the NSfS. It appears to have been selected based upon the flow control product of choice, but alternative products are available that would reduce this rate to below 0.5l/s. Proposed onsite levels and exceedance paths are also not shown on the drainage layout.

It is acknowledged that the site is currently entirely impermeable hardstanding and would, therefore, restrict the potential for surface water to drain on the site during flood conditions. However, by occupying an area at risk of ground and surface water flooding and introducing internal floor levels greater than the existing ground levels, the proposals would displace a given volume of water from the existing flood storage on site to the wider area during a flood event. It has not been demonstrated that this volume of flood water would be accounted for on site and would increase flood risk elsewhere as a result.

The proposal has also not provided sufficient evidence to confirm that the development would be sufficiently safe from flood risk throughout its lifetime, and the proposed surface water drainage system is not in accordance with the NSfS, nor has it confirmed that the drainage system would be viable since the diversion of the surface water sewer has not been proven viable and it would influence the proposed point of connection for the proposed drainage system. Furthermore, the proposed drainage system has not demonstrated that it could viably operate during flood conditions and has an unacceptably high peak discharge rate. As such, the proposed development would not be sufficiently safe for its lifetime, it has not been confirmed that the development could be viably/sustainably drained, and the proposals would increase flood risk elsewhere.

The proposal is, therefore, in conflict with ALP policies W DM2 and W DM3, and NPPF Paragraphs 164(a), 170, 181(b) and (c), 182 and 187(e).

PARKING AND HIGHWAYS

The plans indicate nine on-site parking spaces, though site images suggest at least half that number

again can be found informally in and around the site. The area proposed for development does not currently accommodate parking, so the proposal should not reduce the number of existing spaces. As no additional employees are proposed, parking demand is not expected to increase significantly.

There are no parking restrictions on the surrounding roads (except immediately adjacent to junctions), particularly on the section of Lineside Road outside the main site entrance. This section, being a dead end due to the railway line to the immediate west, has ample space and minimal traffic.

The proposal would make use of an existing vehicular crossover and access to the western end of Lineside Way. There is no through traffic at this point and no visibility concerns either side.

No significant negative impacts are anticipated, and the proposal is in accordance with ALP policy T SP1.

ECOLOGY & BIODIVERSITY

The proposal is exempt from statutory Biodiversity Net Gain under the de-minimis exemption. Some biodiversity net gain would still be required on site in accordance with ALP policy ENV DM5 and this would have been achieved through the provision of planters as part of the SUDS scheme. Ecological enhancements such as bird boxes could also have been secured by way of condition.

The proposal is within a 2km Buffer for a Site of Special Scientific Interest (SSSI) (Climping Beach) but given the scale and nature of the proposals and the dense urban context of the site, the proposals would not have any impact on the SSSI.

The proposal is in accordance with ALP policies ENV SP1, ENV DM1, and ENV DM5.

WASTE MANAGEMENT

The proposal would not introduce any additional sensitive receptors to the area, nor, given the scale of works, would it present any opportunities for cumulative impacts that would prevent or prejudice the continued operation of the safeguarded waste infrastructure site (Medisort, Fort Road). The proposal is in accordance with WSCC Waste Local Plan Policy 2.

SUMMARY

The proposed extension to the industrial unit does not harm the character of the area, impact residential properties, or result in significant highway impact.

NPPF Paragraph 125(c) affords substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. Whilst the site comprises brownfield land within the settlement boundary and an economic growth area where the enhancement of existing employment sites is an identified. However, the proposal is not sufficiently flood resistant within the context and it has not been demonstrated that the proposal can be viably and sustainably drained. As such, the proposal is not sufficiently resilient to, and safe from, flood risk for its lifetime and does not incorporate a viable sustainable drainage system. Furthermore, by occupying an area of flood storage for ground and surface water flooding and proposing internal floor levels greater in height than the existing ground levels, the proposals are reducing flood storage in this area and displacing it, thus increasing flood risk elsewhere. The proposal would give rise to substantial harms relating to flood risk and is in conflict with relevant National Standards, Local Development Plan policies, and the NPPF.

The proposal is, therefore, recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 would have been required (dependent on any exemptions or relief that may apply).

RECOMMENDATION

REFUSE

- 1 Insufficient information has been submitted to confirm that the proposed development would be sufficiently flood resilient throughout its lifetime in conflict with Arun Local Plan policy W DM2, NPPF Paragraphs 170 and 181(b), and the NPPG 'Preparing a flood risk assessment: standing advice'.
- 2 Insufficient information has been submitted to confirm that the proposals could be viably and sustainably drained and not increase flood risk elsewhere. It is, therefore, in conflict with the National Standards for Sustainable Drainage Systems, Arun Local Plan policy W DM3, and NPPF Paragraphs 164(a), 170, 181(c), 182, and 187(e).
- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. It has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. The Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a

revised development.