

REPORT UPDATE

Application No: LU/149/20/PL

Reason for the Update / Changes

Reason for Update/Changes:

One additional Objection:

- The proposed structure advertising the 'Wave'. will be a laughing stock.
- We were given less than a month to object.
- Was it commissioned?
- Was it unwanted by Bognor, as Bognor seem to be the instigators?

Officers Comment:

The application has been advertised in accordance with procedure and there has been in excess of one month to comment. The advertising period expired a month ago.

The structure is linked to the swimming centre and has been designed to be installed in association with the swimming centre use of the site.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: LU/149/20/PL

LOCATION: Littlehampton Wave
Sea Road
Littlehampton
BN16 2NA

PROPOSAL: Installation of a 4m high timber sculpture shaped in the form of 3 No. waves, fixed to a concrete base. This application is not CIL Liable (Zero Rated) as 'all other development'.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This is a Regulation 3 application submitted by Arun District Council.

The proposal is for an artwork totem sculpture to identify the location of the recently completed Littlehampton Wave Leisure Centre.

The structure comprises a wooden sculpture on a concrete plinth base, which sits 200mm above ground level, designed as 3 waves descending in height from 4m closest to the seafront to 3.3m to the north.

Each wave would have a width of 0.4m and a separate base of 1m by 5m. The base plinth is 4m long by 1.8m wide.

The timber used to produce the wave sculpture was salvaged from the pool hall in the former leisure centre before demolition.

It is not currently intended to be illuminated. There will be no signage on the Totem and the main sign on the building is illuminated. However, allowances have been made to include ducting and there is power nearby should this be desired at a later stage.

Planting will be incorporated around all sides of the totem base to provide screening which will be an extension of the existing planting on site using the same species e.g. grasses etc.

The slab needs to be the size it is, in order to provide enough space for the large fixings that the sculpture will attach to and accommodate the twisting of the sculpture bases.

TOPOGRAPHY

Predominantly flat. The site slopes down towards the swimming centre.

BOUNDARY TREATMENT

1m high ranch style fencing along back edge of pavement enclosing grassed area.

SITE CHARACTERISTICS

The site is located along the southern road frontage of the recently completed replacement swimming centre within the landscaped area. The car park and main vehicular entrance to the swimming centre are located to the west.

CHARACTER OF LOCALITY

Coastal seafront location opposite beach.

RELEVANT SITE HISTORY

LU/314/16/PL	Proposed development of new Leisure Centre Facility (Use Class D2) and demolition of existing Leisure Centre Facility and Sports Dome, including modifications to the existing car parking arrangement, landscaping and associated works.	ApproveConditionally 04-01-17
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REPRESENTATIONS

Littlehampton Town Council
No Objection.

- 4 Objections:
- The proposed structure will do nothing to identify the Wave complex and may confuse motorists.

- As a public work of art it is bland and lacks any element of great design.
- At 4 metres high it is out of keeping and not sympathetic to its surroundings.
- It is not a good use of space.
- The landscaped area in front of the building is an appropriate vista fronting the new building and it does not need a sculpture at all.
- The structure proposed, being made of wood, would be susceptible to vandalism and would degrade so close to the sea and require significant ongoing maintenance over time.
- The proposal represents an example of poor public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

The initially submitted application lacked detail and further information has now been submitted to more accurately depict the appearance of the proposed structure. Details of planting has been included around the base to ensure that it is assimilated into its surroundings.

The structure would make a positive contribution to the appearance of the area.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Landscape Officer - No Objection subject to the incorporation of planting at base level.

- Refreshing to see artwork used in the landscape instead of signage which will give an instant visual representation aid to passers-by. The proposals need to be at such a scale due to the openness of the location and in order for it to provide a meaningful statement in this setting.
- Good sustainable and ethical material choice, having been salvaged from the previous pool building, interesting form, clever association and link between the seascape and the associated building.
- The slab base work will be blended into the existing landscape by extending planting to the existing scheme.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Flood Zone 2/3
Public Open Space

DEVELOPMENT PLAN POLICIES

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

OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

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.

Policy 1 (Presumption in Favour of Sustainable Development) and Policy 16 (Open Space) within Littlehampton Neighbourhood Plan are considered relevant to determination of this application.

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 considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality, it would provide beneficial artwork to the community and would not significantly impact on the provision and availability of the public open space.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS**PRINCIPLE**

The development plan in the determination of this application consists of the Arun Local Plan and the Littlehampton Neighbourhood Development Plan.

Policy D DM1 of the Arun Local Plan sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Public realm and Public art.

Policy D SP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, character, materials, finish and architectural details.

Policy QE SP1 of the Arun Local Plan sets out that all development should contribute positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents to the District.

Policy 16 of the Littlehampton Neighbourhood Development Plan states that there will be a presumption against development proposals on any accessible open space in the town.

VISUAL AMENITY AND CHARACTER

The sculpture will be located at the southern end of the avenue path which connects Littlehampton Wave to Sea Road, to be visible from the road and to pedestrians walking along the promenade. The former

leisure centre could be identified from a distance, by way of the prominent brick pier at the front of the building and served to draw attention to approaching vehicles. The new Littlehampton Wave is set further back from the road therefore the intention is to introduce a totem feature to signpost its location. While it is not intended to incorporate signage or wording on the totem, there will be a positive connection with its location at the top of the access path and in particular its wave design, which reflects the coastal setting and name of the new leisure centre. The proposal in this location, would provide a good visual link and use in wayfinding.

The site is situated close to the seafront in a prominent and elevated position. It would be readily visible along Sea Road and would enhance the appearance of the seafront by adding a piece of artwork of appropriate scale and design which would be in keeping with the character of the area. It would add to local distinctiveness emphasising the presence of the swimming centre and the coastal location. The proposal would therefore accord with policy D DM1(1) and D SP1 of Arun Local Plan. The position of the sculpture close to the pedestrian access to the swimming centre from the seafront would ease navigation to the new swimming centre by providing a local landmark in accordance with policy D DM1(11). Part 12 of this policy refers to the incorporation of public art into schemes where there is capacity to do so. The proposed sculpture would add visual interest to the seafront and its size and design are appropriate for its setting. It would positively contribute to the public realm which is accessible to all. The development would have a beneficial impact on leisure and recreational facilities by clearly identifying and sign posting the existing swimming centre to residents and visitors in accordance with policy QE SP1.

Further landscape provision of grasses and coast tolerant species to mirror the existing scheme are to be incorporated in the immediate surrounds of the slab base work so as to assimilate it into the surrounding landscape. The type of planting used will be controlled by condition.

RESIDENTIAL AMENITY

The proposal would not be located near to residential dwellings and would therefore have no adverse impact on amenity by reason of over bearing impacts in accordance with policy D DM1(3) of the Arun Local Plan.

IMPACT ON OPEN SPACE

The proposal is located on the edge of the open space where the use of the space as a whole is less impacted. The structure relates to the recreational use of the site and provides a cultural landmark which will benefit the community and compensate for the loss of open space at this point. It therefore accords with policy OSR DM1 of the Arun Local Plan and Policy 16 of the Littlehampton Neighbourhood Plan.

CONCLUSION

Given the position and design of the sculpture and that it would enhance the appearance of the area attracting visitors and assisting in recognition of the new swimming centre, the proposal would accord with planning policy. It is therefore recommended for approval subject to the following 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.

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:

Proposed Elevations and Layout Plan 04051404 revC
Totem Sketch
Location Plan
Block Plan

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 Within 4 months of installation of the sculpture all planting within the approved landscaping shall be carried out in accordance with the details shown on the submitted Totem Planting Plan L400/203/4. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.
- 4 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.
- 5 INFORMATIVE: Should the sculpture be illuminated in the future an application for

Advertisement Consent would need to be submitted for consideration.