ARUN
DISTRICT COUNCIL

Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF
Tel: 01903 737756

www.arun.gov.uk

LU/153/08

Application for Planning Permission.
Town and Country Planning Act 1990

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	
First name:	
Last name:	
Company (optional):	McCarthy & Stone (Assisted Living)
Unit:	
House number:	
House suffix:	
House name:	
Address 1:	Sapphire House
Address 2:	York Close
Address 3:	
Town:	Byfleet
County:	Surrey
Country:	
Postcode:	KT14 7HN

2. Agent Name and Address

Title:	Mr
First name:	Anthony
Last name:	Allen
Company (optional):	The Planning Bureau Ltd
Unit:	
House number:	
House suffix:	
House name:	
Address 1:	Homelife House, 26-32 Oxford Road
Address 2:	
Address 3:	
Town:	Bournemouth
County:	Dorset
Country:	
Postcode:	BH8 8EZ

3. Description of the Proposal

Please describe the proposed development, including any change of use:

Application for the redevelopment of the site to form 60 "Extra Care" frail elderly apartments for the elderly plus ancillary communal facilities, associated car parking and landscaping

Has the building, work or change of use already started? ☐ Yes ☒ No

If Yes, please state the date when building, work or use were started (DD/MM/YYYY): _____ (date must be pre-application submission)

Has the building, work or change of use been completed? ☐ Yes ☒ No

If Yes, please state the date when the building, work or change of use was completed: (DD/MM/YYYY): _____ (date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit: | House number: | House suffix:

House name:

Address 1: 32, 33, 34 Fitzalan Road &

Address 2: 14, 16 Church Street

Address 3:

Town: Littlehampton

County: W. Sussex

Postcode (optional): BN17 6PX

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: | Northing:

Description:

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☐ Yes ☒ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name:

Reference:

Date (DD/MM/YYYY):
(must be pre-application submission)

Details of pre-application advice received?

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ☒ Yes ☐ No

Is a new or altered pedestrian access proposed to or from the public highway? ☒ Yes ☐ No

Are there any new public roads to be provided within the site? ☐ Yes ☒ No

Are there any new public rights of way to be provided within or adjacent to the site? ☐ Yes ☒ No

Do the proposals require any diversions /extinguishments and/or creation of rights of way? ☐ Yes ☒ No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state the reference of the plan (s)/drawings(s)

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? ☐ Yes ☒ No

If Yes, please provide details:

Have arrangements been made for the separate storage and collection of recyclable waste? ☐ Yes ☒ No

If Yes, please provide details:

8. Neighbour and Community Consultation

Have you consulted your neighbours or the local community about the proposal? ☐ Yes ☒ No

If Yes, please provide details:

9. Council Employee / Member

Is the applicant or agent related to any member of staff or elected member of the council? ☐ Yes ☒ No

If Yes, please provide details:

10. Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know	Drawing references if applicable
Walls			☐	☐	
Roof			☐	☐	Please see
Windows			☐	☐	material schedule on
Doors			☐	☐	relevant drawing
Boundary treatments (e.g. fences, walls)			☐	☐	
Vehicle access and hard-standing			☐	☐	
Lighting			☐	☐	
Others (please specify)			☐	☐	

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? ☒ Yes ☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

11. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of Vehicle	Total Existing	Total proposed (including spaces retained)	Difference in spaces
Cars	5	23	18
Light goods vehicles/ public carrier vehicles			
Motorcycles			
Disability spaces			
Cycle spaces			
Other (e.g. Bus)			
Other (e.g. Bus)			

12. Foul Sewage

Please state how foul sewage is to be disposed of:

- [X] Mains sewer
- [ ] Cess pit
- [ ] Septic tank
- [ ] Other
- [ ] Package treatment plant

Are you proposing to connect to the existing drainage system? [X] Yes [ ] No

If Yes, please include the details of the existing system on the application drawings and state references for the plan(s)/drawing(s):

13. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.) [ ] Yes [X] No

If Yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? [ ] Yes [X] No

Will the proposal increase the flood risk elsewhere? [ ] Yes [X] No

How will surface water be disposed of?

- [ ] Sustainable drainage system
- [ ] Existing watercourse
- [X] Soakaway
- [ ] Pond/lake
- [ ] Main sewer

14. Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

a) Protected and priority species:

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [X] No

b) Designated sites, important habitats or other biodiversity features:

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [X] No

c) Features of geological conservation importance:

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [X] No

15. Existing Use

Please describe the current use of the site:

Residential - 5 dwelling houses

Is the site currently vacant? [ ] Yes [X] No

If Yes, please describe the last use of the site:

When did this use end (if known)? DD/MM/YYYY (date where known may be approximate)

Does the proposal involve any of the following:

Land which is known to be contaminated? [ ] Yes [X] No

Land where contamination is suspected for all or part of the site? [ ] Yes [X] No

A proposed use that would be particularly vulnerable to the presence of contamination? [ ] Yes [X] No

If you have answered Yes to any of the above, you will need to submit an appropriate contamination assessment.

16. Trees and Hedges

Are there trees or hedges on the proposed development site? [X] Yes [ ] No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? [ ] Yes [X] No

If Yes to either or both of the above, you will need to provide a full Tree Survey, with accompanying plan before your application can be determined. Your Local Planning Authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to construction - Recommendations'.

17. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? [ ] Yes [X] No

If Yes, please describe the nature, volume and means of disposal of trade effluents or waste

18. Residential Units (Including Conversion)

Does your proposal include the gain, loss or change of use of residential units? ☐ Yes ☐ No
If Yes, please complete details of the changes in the tables below:

Proposed Housing

Market Housing	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						0
Flats and maisonettes	☐						60
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						60
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							60

Social Rented	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						0
Flats and maisonettes	☐						0
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						0
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							0

Intermediate	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						0
Flats and maisonettes	☐						0
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						0
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							0

Key worker	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						0
Flats and maisonettes	☐						0
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						0
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							0

Total proposed residential units $(A+B+C+D)=$ 60

Existing Housing

Market Housing	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						5
Flats and maisonettes	☐						0
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						0
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							5

Social Rented	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						0
Flats and maisonettes	☐						0
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						0
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							0

Intermediate	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						0
Flats and maisonettes	☐						0
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						0
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							0

Key worker	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						0
Flats and maisonettes	☐						0
Live-work units	☐						0
Cluster flats	☐						0
Sheltered housing	☐						0
Bedsit/studios	☐						0
Unknown type	☐						0
Totals $(a+b+c+d+e+f+g)=$							0

Total existing residential units $(E+F+G+H)=$ 5

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total): +55

19. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace? ☐ Yes ☒ No

If you have answered Yes to the question above please add details in the following table:

Use class/type of use		Not applicable	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross internal floorspace proposed (including change of use)(square metres)	Net additional gross internal floorspace following development (square metres)
A1	Shops	☐				
	Net tradable area:	☐				
A2	Financial and professional services	☐				
A3	Restaurants and cafes	☐				
A4	Drinking establishments	☐				
A5	Hot food takeaways	☐				
B1 (a)	Office (other than A2)	☐				
B1 (b)	Research and development	☐				
B1 (c)	Light industrial	☐				
B2	General industrial	☐				
B8	Storage or distribution	☐				
C1	Hotels and halls of residence	☐				
C2	Residential institutions	☐				
D1	Non-residential institutions	☐				
D2	Assembly and leisure	☐				
OTHER	Please specify	☐				
		☐				
	Total					

In addition, for hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms

Use class	Type of use	Not applicable	Existing rooms to be lost by change of use or demolition	Total rooms proposed (including changes of use)	Net additional rooms
C1	Hotels	☐			
C2	Residential Institutions	☐			
Other	Hostels	☐			

20. Employment

Please complete the following information regarding employees:

	Full-time	Part-time	Total full-time equivalent	Not known
Existing employees				
Proposed employees				

21. Hours of Opening

Please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Not known

22. Site Area

Please state the site area in hectares (ha) 0.51

23. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

Is the proposal a waste management development? ☐ Yes ☐ No

If the answer is Yes, please complete the following table:

	Not applicable	The total capacity of the void in cubic metres, including engineering surcharge and making no allowance for cover or restoration material (or tonnes if solid waste or litres if liquid waste)	Maximum annual operational throughput in tonnes (or litres if liquid waste)
Inert landfill	☐		
Non-hazardous landfill	☐		
Hazardous landfill	☐		
Energy from waste incineration	☐		
Other incineration	☐		
Landfill gas generation plant	☐		
Pyrolysis/gasification	☐		
Metal recycling site	☐		
Transfer stations	☐		
Material recovery/recycling facilities (MRFs)	☐		
Household civic amenity sites	☐		
Open windrow composting	☐		
In-vessel composting	☐		
Anaerobic digestion	☐		
Any combined mechanical, biological and/or thermal treatment (MBT)	☐		
Sewage treatment works	☐		
Other treatment	☐		
Recycling facilities construction, demolition and excavation waste	☐		
Storage of waste	☐		
Other waste management	☐		
Other developments	☐		

Please provide the maximum annual operational throughput of the following waste streams:

Municipal	
Construction, demolition and excavation	
Commercial and industrial	
Hazardous	

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

24. Hazardous Substances

Does the proposal involve the use or storage of any of the following materials in the quantities stated below? ☐ Yes ☐ No ☒ Not applicable

If Yes, please provide the amount of each substance that is involved:

Acrylonitrile (tonnes)	Ethylene oxide (tonnes)	Phosgene (tonnes)
Ammonia (tonnes)	Hydrogen cyanide (tonnes)	Sulphur dioxide (tonnes)
Bromine (tonnes)	Liquid oxygen (tonnes)	Flour (tonnes)
Chlorine (tonnes)	Liquid petroleum gas (tonnes)	Refined white sugar (tonnes)

Other: Other:

Amount (tonnes): Amount (tonnes):

25. Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land or building to which the application relates.

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served
See attached list		19/5/08

Signed - Applicant: [redacted] Date (DD/MM/YYYY): 19/5/08

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that:

§ Neither Certificate A or B can be issued for this application

§ All reasonable steps have been taken to find out the names and addresses of the other owners *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)*of the land or building, or of a part of it , but I have/ the applicant has been unable to do so.

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):

25. Certificates (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that:

§ Certificate A cannot be issued for this application

§ All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

The steps taken were:

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

AGRICULTURAL HOLDINGS CERTIFICATE

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

Agricultural Land Declaration - You Must Comple

(A) None of the land to which the application

Signed - Applicant:

Date (DD/MM/YYYY): 19/5/08

B) I have/ The applicant has given the requi [redacted] plicant who, on the day21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

26. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

3 copies of a completed and dated application form: ☑

The correct fee: ☐

3 copies of a design and access statement: ☐

3 copies of the plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: ☑

3 copies of the completed, dated Article 7 Certificate (Agricultural Holdings): ☐

3 copies of other plans and drawings or information necessary to describe the subject of the application: ☑

3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable): ☐

27. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information.

Signed - Applicant:

Or signe [redacted]

Date (DD/MM/YYYY): 19/5/08 (date cannot be pre-application)

28. Applicant Contact Details

Telephone numbers

Country code: | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address (optional):

29. Agent Contact Details

Telephone numbers

Country code: [redacted] | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: [redacted] | Fax number (optional):

Email address (optional): [redacted]

30. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☐ Yes ☑ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? *(Please select only one)* ☑ Agent ☐ Applicant ☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name: AS FORM | Telephone number:

Email address:

ARUN DISTRICT COUNCIL:LU/153/08/

List of Site Owners For Certificate B

Diocese of Chichester
c/o 34 Fitzalan Road
Littlehampton
W. Sussex

Ms S M Worsford & Mr T C Worsfold
33 Fitzalan Road
Littlehampton
W. Sussex

Mr A A Avery & Ms I E Avery
32 Fitzalan Road
Littlehampton
W. Sussex

Mr & Mrs Arthur
18 Church Street
Littlehampton
W. Sussex
BH17 5PX

Mr D Batchelor & Ms S E Batchelor
16 Church Street
Littlehampton
W. Sussex

Mr D F Fellows & Ms J E Fellows
14 Church Street
Littlehampton
W. Sussex

ARUN DISTRICT COUNCIL:LU/153/08/

THE PLANNING BUREAU LIMITED

Town Planners

Bournemouth • London • Manchester • Coventry • Bristol • York • Glasgow

Architects

PLEASE REPLY TO: HOMELIFE HOUSE, 26-32 OXFORD ROAD, BOURNEMOUTH, DORSET, BH8 8EZ TEL: 01202 291455 FAX: 01202 508277

REF: Littlehampton revised
19th May 2008

ARUN DISTRICT COUNCIL
PLANNING DEPARTMENT
21 MAY 2008
ACTION:

Arun District Council
Planning Department
Arun Civic Centre
Maltravers Road
Littlehampton
W. Sussex
BN17 5LF

Dear Sir/Madam

APPLICATION BY McCARTHY & STONE (ASSISTED LIVING) LIMITED FOR THE REDEVELOPMENT OF THE SITE TO FORM 60 "EXTRA CARE" FRAIL ELDERLY APARTMENTS FOR THE ELDERLY, PLUS ANCILLARY AND COMMUNAL FACILITIES, ASSOCIATED CARPARKING AND LANDSCAPING

SITE AT THE JUNCTION OF FITZALAN ROAD/CHURCH STREET, LITTLEHAMPTON

Please find attached a duly completed electronic planning application for the abovementioned proposed development, submitted on behalf of my Client, McCarthy & Stone (Assisted Living) Limited. This application follows the Secretary of State's decision to allow my Client's appeal against the Council's previous decision to refuse an application of 56 apartments on the site.

A fee of £17,565.00 is payable and a cheque is enclosed and in addition to a Design & Access Statement the following drawings are enclosed: -

Drawing No.	**Description**
P3-01	Location Plan
P3-02	Site Plan
P3-03	Ground Floor Plan
P3-04	First & Second Floor Plans
P3-05	Elevations
P3-06	Sections
P3-07	Contextual
P3-08	Proposals
PP-2600	Site Survey
6488/01	Tree Survey
6488/03A	Soft Landscaping

***Please note there is no flat no.13 shown on the drawings.**

Amendments

An appeal was held into my client's application for 56 Extra Care Frail Elderly apartments on this site which had been previously refused by the Local Planning Authority under reference LU/257/07. The Inspector, Mr Philip Wilson, allowed the subsequent appeal on 18th March 2008. The principle issue at the Inquiry was whether that proposed development would harm the character of the area of which the appeal site forms part.

In his conclusion on this issue, in Paragraph 23 of the decision letter, the Inspector advises that the proposed development would form part of an urban area making use of previously developed land and making effective use of land for new housing. He advised therefore that it would satisfy Regional policy, Structure Plan policy and would be a well-designed development in-keeping with its surroundings.

That scheme previously sought to provide a "glazed feature" along the Church Street frontage and neither the Local Planning Authority nor the Inspector advised that this would be a pre-requisite of achieving planning permission on the site. In order to use the site more efficiently and meeting the needs for older people identified in Local Plan policies DEV20 and DEV21, a revised application for an additional 4 units is now proposed.

The principle amendment between the previously allowed scheme and that now submitted is the removal of the glazed feature and the continuation of a traditional built-form elevation along Church Street to provide four additional units, with two units either side of the central corridor.

Given the findings of the Inspector, which are a most material consideration in the determination of this application, I submit that the additional units would not impact upon the Inspector's findings relating to the character of the area and would use the land more efficiently providing more housing for older people in line with National and Local Planning Policy.

The relevant Notice has been served on the owners of the site and Certificate B has been duly completed. Accordingly, I commend my Client's application, for the beneficial redevelopment of this brownfield urban site, which fully accords with Government guidance, to the Council and look forward to it receiving your favourable consideration.

[redacted]

Mr A.M Allen MRTPI
Managing Director

THE PLANNING BUREAU LIMITED

Town Planners

Bournemouth • London • Manchester • Coventry • Bristol • York • Glasgow

Architects

REPLY TO: HOMELIFE HOUSE, 26-32 OXFORD ROAD, BOURNEMOUTH, DORSET, BH8 8EZ TEL: 01202 291455 FAX: 01202 508277

19th May 2008

Mr & Mrs Arthur
18 Church Street
Littlehampton
W. Sussex
BH17 5PX

Dear Sir/Madam

APPLICATION BY McCARTHY & STONE FOR THE REDEVELOPMENT OF THE SITE TO FORM 60 EXTRA CARE FRAIL ELDERLY APARTMENTS FOR THE FRAIL ELDERLY PLUS ANCILLARY AND COMMUNAL FACILITIES, SITE AT THE JUNCTION OF FITZALAN ROAD/CHURCH STREET, LITTLEHAMPTON

I write to inform you that I have submitted, today, an application to Arun District Council for the redevelopment of the above site to form a scheme of housing for the frail elderly on behalf of my client, McCarthy & Stone (Assisted Living) Ltd.

I am required by the Planning Act to notify the owners of application site, which I understand are yourselves, of such an application. If you require any further information please do not hesitate to contact me or indeed my client's, McCarthy & Stone.

Yours sincerely

Mr A M Allen MRTPI
Managing Director

Town And Country Planning Act (General Development Procedure) Order 1995

Notice Under Article 6 of Application for Planning Permission

(to be published in a newspaper or to be served on an owner * or a tenant**)

Proposed development at (a) **32, 33, 34 FITZALAN ROAD & 14, 16 CHURCH STREET LITTLEHAMPTON**

I give notice that (b) **McCARTHY & STONE (ASSISTED LIVING) LTD**

is applying to the (c) **ARUN DISTRICT COUNCIL**

for planning permission to (d) **FORM 60 "EXTRA CARE" APARTMENTS FOR THE FRAIL ELDERLY, PLUS ANCILLARY COMMUNAL FACILITIES, ASSOCIATED CAR PARKING AND LANDSCAPING**

Any owner* of the land or tenant** who wishes to make representations about this application should write to the Council at (e) **PLANNING DEPARTMENT, ARUN DISTRICT COUNCIL, ARUN CIVIC CENTRE, MALTRAVERS ROAD, LITTLEHAMPTON, WEST SUSSEX, BN17 5LF**

by (f) **20.06.08**

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, coal, gold or silver).

** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed

\+ on behalf of **McCARTHY & STONE (ASSISTED LIVING) LIMITED**

Date **19.05.08**

Statement of owner's rights.
The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights.
The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

\+ Delete where inappropriate

Insert:
(a) address or location of the proposed development
(b) applicant's name
(c) name of Council
(d) description of the proposed development
(e) address of Council
(f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication of the notice (as the case may be).

Appeal Decision

Inquiry held 17 & 18 January 2008 by

Philip Wilson **DipArch DipTP RIBA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
18 March 2008

Appeal Ref: APP/C3810/A/07/2058762
32,33,34 Fitzalan Road and 14, 16 and part of rear garden of 18 Church Street, Littlehampton, West Sussex BN17 5PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by McCarthy and Stone (Assisted Living) Ltd against Arun District Council.
- The application, Ref: LU/257/07, is dated 28 June 2007.
- The development proposed is redevelopment of the site to form 56 extra care frail elderly apartments for the elderly plus ancillary communal facilities, associated car parking and landscaping.

Decision

1. I allow the appeal, and grant planning permission for redevelopment of the site to form 56 extra frail elderly apartments for the elderly plus ancillary communal facilities, associated car parking and landscaping at 32, 33, 34 Fitzalan Road and 14, 16 and part of rear garden of 18 Church Street, Littlehampton, West Sussex BN17 5PX in accordance with the terms of the application, Ref: LU/257/07, dated 28 June 2007, and the plans submitted with it, subject to conditions set out in a schedule attached to this decision.

Preliminary Matters

2. I have adopted the site description used in the appeal form, rather than that which appears in the application, as it more accurately defines the extent of the appeal site. There is no dispute concerning the actual extent of the appeal site. From evidence given at the Inquiry, I am satisfied that no third party has been seriously misled by the omission from some documents of a reference to the rear garden of 18 Church Street.

3. The draft of an agreement made under section 106 of the Town and Country Planning Act 1990, as amended, was circulated at the Inquiry. A need to secure probate in respect of one of a number of properties referred to in the agreement delayed its completion. The agreement, in its completed form, was submitted after the Inquiry closed. I have taken its provisions into account in determining the appeal.

4. A formal site inspection, unaccompanied except for an inspection of the rear garden of 18 Church Street, was undertaken on the second and final day of the Inquiry. I particularly noted during that inspection land uses and buildings in the vicinity of the appeal site and the position of the appeal site in relation to Littlehampton town centre. I also took note of the pattern of development in

Fitzalan Road and Church Street and the height and character of existing buildings.

Main Issue

5. From evidence given at the Inquiry and in writing, and drawing upon the evidence of my site inspection, I have concluded that the main issue in this appeal is whether the development proposed would harm the character of the area of which the appeal site forms part.

Reasons

Planning Policy

6. The Development Plan for the area consists of Regional Guidance for the South East (RPG9 2001), the West Sussex Structure Plan 2001-2016, adopted 2005 (SP), and the Arun District Local Plan 2003 (LP). RPG9 seeks, amongst other things, to direct development to existing urban areas, giving priority to previously developed land and encouraging development at higher densities. It also seeks the provision of housing to meet the needs of all sectors of the community, including the elderly.

7. Structure plan policies direct development to established settlements and set a target of 60% for new housing development on previously developed land. SP policy NE3 aims to secure a range of subsidised housing for those unable to compete in the general housing market. SP policies NE13 and DEV4 aim to widen travel choice and reduce traffic growth. SP policy DEV5 requires parking provision of an amount appropriate to the type of development proposed. SP policy CH1 promotes forms of development that maintain local distinctiveness and reinforce local settlement patterns. Other structure plan policies, principally ERA1 and DEV1, aim to achieve the best use of land and secure development of high quality.

8. Local plan policies reflect, at District level, the aims of strategic planning policies. Against the background of a target of 8,700 new dwellings to be provided in the District within the period 1996-2011, LP policy GEN5 emphasises the contribution that previously developed land can make towards achieving this target. LP policy GEN7 requires new development to make the best use of land. It sets a minimum density of 30 dwellings per hectare for new residential development. It also requires development to respond the characteristics of the site and it surroundings. LP policy GEN12 advises that parking should provided in accordance with the Council standards, but could be reduced where development is close to town centres.

9. LP policy DEV17 requires proposals for 25 or more dwellings, or residential development on sites of more than 0.8 hectare, to provide affordable housing in accordance with criteria set out in the policy. In exceptional circumstances, where a site may be unsuitable for affordable housing, the policy advises that a payment may be made to secure its provision elsewhere in the District. The supporting text to LP policy DEV20 recognises that the number of elderly persons living in the District is high and that there will be a continuing need to provide housing the elderly. LP policy DEV21 addresses circumstances where housing may be provided expressly for older people and advises that the

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occupation of dwellings in this category will be restricted to persons of 60 years or over, with a lower age limit for spouses of 55 years.

Appeal Proposals

10. The appeal scheme would replace three, 2-storey detached houses fronting Fitzalan Road - nos 32, 33 and 34 - and two houses of similar size and style fronting Church Street - nos 14 and 16. The appeal site also includes part of the rear garden of 18 Church Street, leaving the dwelling unaffected. Land presently occupied by each of these properties combines to form a roughly `L` shaped site measuring 0.51 hectare.

11. The development would provide 56 apartments on two and three floors in a single building. The application drawings show the top floor contained, in some places, within the roof. They also show an uninterrupted frontage to Fitzalan Road, stepping down in height towards the appeal site's southern boundary. The Church Street frontage is treated in a similar fashion but includes a recessed and largely glazed bay. The corner of the building, facing the junction of Church Street with Fitzalan Road, is splayed and incorporates bay windows rising the full height of the building. Development on both frontages would be set forward of neighbouring buildings and, on average, about 8 metres back from the public highway.

12. Facing materials would include a mixture of two types of brick, reconstituted Portland stone and plain roof tiles. Front boundaries would be defined by dwarf walls and railings. Parking is shown located towards the rear of the site with access from Church Street.

13. The appeal site forms part of a residential area situated a short distance to the east of Littlehampton town centre - close to shops, services and other community facilities. The area of which the appeal site is part is not subject to special protection under current development plan policies.

Main Issue

14. The development proposed would result in some change to local character. That is inevitable. The question is whether that change would be harmful. I note local opposition to development of the site for housing for elderly people. On its part, the Council accepts that the appeal site is suitable for the type of housing proposed. I understand local concern that the proposed dwellings might be occupied by people presently living outside the District, but I do not consider that possibility amounts to a sustainable objection on planning grounds.

15. In response to a more general concern that the development would impose and additional and unacceptable burden on local services – including medical facilities, I heard no convincing evidence to support this view. In terms of location, I consider the development proposed well placed to meet the needs of less active members of society. I therefore find no objection in principle to the type of accommodation proposed.

16. I turn now to the impact of the development proposed on its surroundings. The Council does not object to the manner in which the development proposed would relate to existing development in Fitzalan Road. While the appeal

building would be prominent in some views along Fitzalan Road and Church Street, in my opinion sufficient thought has been given to the design to ensure that the development would relate satisfactorily to adjacent buildings in terms of its size and scale. I am also of the opinion that the development would respond well, in architectural terms, to its corner situation.

17. I find nothing in the bulk, massing, scale or architectural treatment of the development that might give rise to a serious planning objection. In arriving at this conclusion, I have taken into account proposals affecting land on the west side of Fitzalan Road and the relationship of the development proposed to mostly detached, 2-storey houses on the south side of Church Street.

18. I have given careful consideration to criticisms of the development proposed in relation to houses on the north side of Church Street and recognise differences between the main parties concerning relative heights and perceptions of the physical and visual impact of the building proposed. The development proposed would inevitably appear more assertive than the houses that presently occupy the appeal site, but I do not consider that it would dominate the street scene or appear seriously out of keeping with the area's character.

19. The depth of the wing extending southwards into the appeal site, to the west of the proposed access drive, would add to the apparent bulk of the building in a way that does not entirely reflect the pattern of existing development in Church Street or Fitzalan Road. However, most of this wing would be seen as a 2-storey element set back from the appeal site's eastern boundary and in a position where it would not impinge greatly on public or private views.

20. In assessing the effect of the development proposed on the street scene, I have taken into account development at Francis Court and Oakland Grange, in Church Street, a short distance to the east of the appeal site. These appear expressly designed to meet the needs of older people, but I see no reasons why they, or the scheme that is the subject of this appeal, should be considered a compelling precedent for further development of this type. In my assessment of the effect of the appeal scheme on local character, I have also taken into account the contribution that flats at Summerlea Gardens and maisonettes at the junction of Church Street with St Flora's Road make to the area's character.

21. The development proposed would result in a significant increase in residential density but I do not equate this with harm to the area's character. A building whose design incorporates traditional materials and familiar architectural features would, in my opinion, be in sympathy with its surroundings. I note, in addition, scope for landscaping within the appeal site which I believe has the potential to enhance the street scene.

22. My decision on this appeal takes account of Government guidance set out principally in Planning Policy Statement 3 *Housing* (PPS3). This encourages the provision of new houses in suitable locations and the effective re-use of previously developed land, but not at the expense of good design. PPS3 sets out, at paragraph 16, matters to be considered when assessing design quality. Acknowledging the subjective nature of any assessment of this kind, it seems to me that the appeal scheme satisfies sufficient of the criteria listed for it to be considered acceptable.

23. In that the development proposed would form part of an urban area, would make use of previously developed land and would make effective use of land for new housing, it would satisfy an objective of regional policy which is carried through into policies of the West Sussex Structure Plan. As well as satisfying technical requirements, the appeal scheme, in my opinion, meets the aims of structure plan policies requiring new development to be well designed and in keeping with its surroundings. I am also satisfied that the appeal scheme would, in terms of design and making efficient use of land, satisfy local plan policies GEN5 and GEN7.

Other Material Considerations

24. The appeal scheme would provide housing for a sector of society where evidence shows demand is increasing. It would, in many cases, prolong the period when elderly persons are able to lead independent lives and offer them a sheltered and secure environment in accordance with an objective of local plan policy DEV20. It might also promote the release of dwellings suitable for family occupation. These are benefits that weigh in favour of the development proposed. A further benefit, to which I return below, is the provision for affordable housing.

25. In response to representations made by third parties, I have considered whether the development proposed would lead to conditions prejudicial to highway safety. During my site inspection I noted traffic movement through the area and the extent to which on-street parking occurs in the vicinity of the appeal site. From that, I see no reason why the development proposed should create conditions seriously hazardous to drivers or pedestrians. I am also satisfied that the amount of off street parking proposed reflects the purpose of local plan policy GEN12 and the predicted needs of the development.

26. In response to concerns raised by some third parties regarding the effect of the development on residential amenity, I particularly noted during my inspection the relationship of the appeal site to neighbouring land and buildings. From what I saw, I am satisfied that the development proposed would not result in serious loss of amenity by the occupiers of any nearby dwelling through loss of outlook, loss of natural light, disturbance or reductions in privacy or security.

27. I have noted representations concerning flooding. It is open to the Council, as the local planning authority, to object to development proposals on the grounds of inadequate surface or foul water drainage. The Council has not done so in this case. I have no technical evidence to support the view that the development proposed would place unacceptable demands on the local drainage system.

Section 106 Agreement

28. The section 106 agreement, dated 6 February 2008, is between McCarthy and Stone (Developments) Limited and Arun District Council. I have considered the agreement on the understanding that McCarthy and Stone (Developments) Limited is the parent company of McCarthy and Stone (Assisted Living) Limited and is therefore able to act on the appellant company's behalf. The document itself is in several parts, necessitated by differences in ownership of land to which the agreement relates and

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contractual arrangements entered into by the Appellant for the purposes of land acquisition.

29. The agreement has two principle and binding provisions. The first, triggered by commencement of the development, is an undertaking by the developer to pay to the District Council an index linked Affordable Housing Contribution of £924,788 in lieu of providing affordable housing on the appeal site. The mechanism by which the contribution would be paid is set out in the agreement. The agreement commits the Council to using the contribution to provide, within a period of five years, affordable housing elsewhere in the District.

30. There is a policy obligation on the Appellant to make provision for affordable housing and the Council is satisfied, given the nature of the development that forms the subject of the appeal, that such provision may be made other than on the appeal site and that the contribution negotiated and agreed reflects the value of affordable housing that might otherwise have been sought. With the benefit of a further explanation, given at the Inquiry, of the way in which the contribution would be used by the Council, I am satisfied as to the acceptability of this arrangement.

31. The second provision of the agreement is the imposition of a lower age limit on the permanent occupiers of the dwellings proposed of 60 years or, in the case of a joint residency, 55 years. This accords with a local plan policy requirement and ensures that the accommodation proposed would be occupied as intended, within the terms of the planning permission.

32. I am satisfied that the section 106 agreement meets the tests for planning obligations set out at B6 of Annex B to Circular 05/2005 Planning Obligations. In particular, I consider that its provisions fairly and reasonably related in scale and kind to the development proposed.

Planning Conditions

33. The Statement of Common Ground includes a draft list of planning conditions, largely agreed between the main parties. These were discussed at the Inquiry. I have considered them in the context of guidance provided by Circular 11/95.

34. In addition to the statutory time limit on implementation, they include conditions relating to external materials and landscaping – all of which I consider necessary for a grant of planning permission. Condition 7 proposes a lower age limit on occupiers of the proposed dwellings. The condition duplicates an enforceable provision of the section 106 agreement and is therefore, in my opinion, unnecessary.

35. Conditions 8 to 11, and 17, cover issues relating to the provision of parking, highway works and site access. All are essential for a grant of planning permission. While it is questionable whether Conditions 12 and 13 address planning matters, they would ensure that development was undertaken in a neighbourly manner. Although subject to other statutory controls, comments made at the Inquiry concerning drainage suggest a need for Condition 14, requiring prior approval of details of foul and surface water drainage.

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36. There appears to be no firm evidence that the appeals might contain material of archaeological importance. However, I was advised at the Inquiry that the appeal site falls within a coastal area that has potential archaeological interest. In the circumstances, it is appropriate to make the permission subject to Condition 15. Given the exposure of the development to public view and the relationship of the development proposed to adjacent buildings, it will be necessary to ensure an appropriate degree of enclosure and separation. Condition 16 would secure this.

37. A schedule of planning conditions is attached to this decision. While their purpose remains unaltered, I have amended the wording of some conditions to better reflect Circular 11/95 advice. They are numbered to take account of the omission, for the reason explained, of condition 7.

Philip Wilson

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Anne Williams	of Counsel, instructed by: The Solicitor to Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex BN17 5LF
She called:	
Juan Baeza BA(Hons) DipTP	Principal Planning Officer – Arun District Council

FOR THE APPELLANT:

Rupert Warren	of Counsel, instructed by: The Planning Bureau Ltd, Homelife House 26-32 Oxford Road, Bournemouth, Dorset BH8 8EZ
He called:	
Graham Bell BA BArch MRHS RIBA	Design Director – The Planning Bureau Ltd
Nigel Pugsley MRTPI	Planning Associate – The Planning Bureau Ltd

INTERESTED PERSONS:

John Morris	3 Maltravers Drive, Littlehampton, West Sussex BN17 5EY
Cllr Ian Buckland	Member for River Ward and Littlehampton Town Councillor – c/o Arun Civic Centre, Littlehampton, West Sussex BN17 5LF
Don Fisher	Flat 3, 29 Bayford Road, Littlehampton, West Sussex BN17 5HN
Deborah Martin	43 Church Street, Littlehampton, West Sussex BN17 5PU

DOCUMENTS

1 Council's Opening Statement
2 Appellant's Opening Statement
3 Council's Closing Submissions
4 Appellant's Closing Submissions
5 Statement of Common Ground
6 Completed Section 106 Agreement
7 Bundle of letters received by Council in response to consultation on planning application LU/257/07
8 Summary of Mr Baeza's Proof of Evidence
9 Mr Baeza's Supplementary Proof of Evidence and Appendices

10 Statement provided by Arun District Council explaining approach to affordable housing provision under Section 106 Agreements
11 Statement provided by Appellant supplementing and explaining car parking calculation for assisted living accommodation.
12 List of objectors supporting representations made by Mr Morris at the Inquiry
13 Text of Cllr Buckland's statement
14 Written details of drainage problems in Littlehampton, submitted by Cllr Buckland
15 Copy of letter from Department for Communities and Local Government to Mr Fisher dated 18 December 2007
16 Arun District Council's Supplementary Planning Document - *List of Buildings or Structures of Character* - adopted September 2005
17 Press details

PLANS

A Mr Bell's Appendix A – Version of drawing P2-02C recording ground, eaves and ridge levels of existing and proposed buildings
B Mr Bell's Appendix B – Version of drawing P2-02C illustrating `Cones of Visibility` of proposed building and of Francis Court, Church Street
C Amended Landscape Layout drawings 6488/03 and 04

Schedule of Planning Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2. The development shall not be commenced before a schedule and samples of materials and finishes to be used on the external walls and roofs of the proposed building have been submitted to and approved in writing by the local planning authority; thereafter the development shall not proceed other than in accordance with the details approved.

3. Notwithstanding information provide as part of the planning application, the development hereby permitted shall not be commenced before there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, which shall include details of all existing trees and hedgerows on the site with information on those to be retained together with details of measures to be taken to ensure their protection during the period that construction takes place.

4. All new planting, seeding or turfing forming part of the scheme of soft landscaping approved shall be undertaken in the first planting and seeding season (March-November) following completion of the development or first occupation of any accommodation it provides, whichever is the sooner; thereafter, any trees or plants which within a period of five years from completion of the development dies, 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 approval to any variation.

5. No demolition, development or site works of any description shall take place on the site unless and until all existing trees, shrubs and hedges to be retained have been protected by fencing of a kind approved in advance and in writing by the local planning authority which shall be erected around each tree or group of vegetation at a minimum radius of 5 metres from the bole or boles or at a distance otherwise approved by the local planning authority; within the fenced area the existing ground level shall be neither raised or lowered and no materials, temporary building, plant, machinery, debris or spoil shall be placed or stored thereon; if any trenches for services are required to pass through the fenced area that shall be excavated and back filled by hand and any roots encountered within the trench having a diameter of 25 mm or more shall be left unsevered.

6. No burning of materials shall take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site, or trees growing on adjacent land.

7. Prior to the first occupation of any dwelling forming part of the development hereby permitted a vehicular site access shall be formed in the position shown in the planning application; it shall include a dropped footway crossover and footway improvements at the junction of Church Street and Fitzalan Road constructed in accordance with details to be submitted to and approved in advance by the local planning authority in writing.

8. Prior to the first occupation of any dwelling forming part of the development hereby permitted spaces for the parking of vehicles on the site, of the number and in the position shown in the planning applications, shall have been provided, surfaced and marked out in accordance with a detailed plan to be submitted to and approved in writing by the local planning authority; thereafter the spaces provided shall be retained and kept permanently available solely for the parking of vehicles associated with the use and occupation of the development.

9. Prior to commencement of the development hereby permitted, a scheme making provision for securing a maximum of six bicycles within the site and close to the main entrance to the accommodation provided shall be submitted to and approved in writing by the local planning authority; thereafter the scheme shall be implemented as approved before the first occupation of any dwelling forming part of the development.

10. Prior to first occupation of any dwelling forming part of the development herby permitted a visibility splay of 2.4 metres x 59 metres shall have been provided at the position of the vehicular access to the site from Church Street in accordance with details shown on drawing P2-02 rev C; thereafter the visibility splays shall be kept free from obstruction above a height of 600mm.

11. The development hereby permitted shall not commence before wheel washing facilities for construction traffic have been provided within the site in accordance with a scheme to be submitted to and approved in advance and in writing by the local planning authority.

12. The development hereby permitted shall not commence before areas for the storage of building materials and for the parking and turning of construction traffic within the site have been provided in accordance with a scheme to be submitted to and approved in writing by the local planning authority; thereafter the areas defined for these purposes shall not be used during the construction period other than for their designated purpose.

13. The development hereby permitted shall not commence before a scheme for the disposal of surface and foul water, including a timetable for the implementation of drainage works, has been submitted to and approved in writing by the local planning authority; thereafter the development shall not be undertaken other than in accordance with the scheme approved.

14. The development hereby permitted shall not commence before the applicants or their successors in title have secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation, details of which shall have been submitted to and approved by the local planning authority in writing.

15. The development hereby permitted shall not commence before details of all walls, fences or other boundary treatments have been submitted to the local planning authority and approved in writing; thereafter, no dwelling forming part of the development shall be first occupied before boundaries have been defined and enclosed in accordance with the details approved.

16. On completion of the development and before the first occupation of any dwelling, all existing vehicular accesses to the site shall be permanently stopped up and the adjacent footway and carriageway shall be restored to a condition similar to that to the adjacent footway and carriageway.