

PLANNING APPLICATION REPORT**REF NO:** LU/245/10/**LOCATION:** Land on the west bank of the River Arun
Littlehampton**PROPOSAL:** Repositioning of security fencing to boundary of site and security lighting to access road to land on the west bank of the River Arun and construction of additional pontoon moorings.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Proposal relates to alterations to a previous approval LU/383/04 for new pontoons and moorings, extension of the boat shed and parking facilities. This application refers to the additional provision of new security fencing to the boundary of the site and security lighting to access road and seeks to regularise works undertaken on site which were not included in the previous approval.
SITE AREA	Approximately 13,800 sqm
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	0.3m high retaining wall to edge strip of roadway. Fencing around perimeter is mesh and post to 2m high.
SITE CHARACTERISTICS	Main use of site is mooring and storage of boats. Roadway and entrance comprise a mud/rubble roadway. Existing compound adjacent to Arun Yacht Club. Some evidence of works along access road. Pedestrian ramps and pontoons existing. Several boats moored in area at time of visit. Single storey building to north of site. Existing slipway. 3 portacabins to north of site.
CHARACTER OF LOCALITY	Rural riverside location. Golf course opposite. Side of road. Pontoons on opposite side of river.

RELEVANT SITE HISTORY

LU/383/04/	Provision of new pontoons for additional moorings. Removal of concrete gridirons & construction of hard standing area. Extension of existing boat shed to provide updated members facilities/parking	Approve Cond 19-01-2005
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REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection

Arun Yacht Club

No objection in principle, but major concerns about certain aspects of the proposed development should the actual construction differ from the submitted plans. Concern regarding dredging and excavations and undermining and eroding of adjoining bank and impact on adjacent dingy pen and complete collapse of river frontage. Request a condition is imposed relating to dredging and excavation levels and submission of appropriate details to be prepared by a civil engineer/hydrologist.

Comments on Representations received:

The Council's Engineers have been consulted on the application.

CONSULTATIONS

Engineering Services Manager

Engineers (Fluvial Flooding)

Engineers (Coastal Protection)

Environment Agency

Natural England

WSCC Local Development Divis.

Engineers (Fluvial Flooding)

Engineers (Coastal Protection)

Environmental Health

Environment Agency

Consultations responses received:

County Highways: No objection. Proposal seeks to replace fencing already present. No material change to existing highway matters.

County Ecologist: Pleased to see native planting, that the lights will have motion sensors and that robust ranch style open fencing will protect the sand catchfly plant.

Natural England: Proposal is unlikely to have implications for the SSSI. Application does appear to affect West Beach Local Nature Reserve and recommend County Ecologist is consulted.

Council's Drainage Engineer: Condition suggested relating to surface water disposal. If the proposal is to discharge to the water course (The river Arun) the Environment Agency will need to be consulted.

Council's Coastal Protection Engineer: No specific Coastal Protection concerns, but would like to see an Informative relating to works below High Water Mark.

Environment Agency: No objection in terms of flood risk

Environmental Health: No objection subject to imposition of condition EHL2.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary
Abuts River Arun

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	GEN33	Light Pollution
	AREA15	Sites of Local Importance for Nature Conservation
	SITE11	West Bank,River Arun, Additional Moorings

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas
PPS9	Biodiversity & Geological Conservation

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 or the established character of the surrounding area. The uses would be appropriate for this location and there would be no adverse impact on nature conservation.

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

The proposal is an amendment to an earlier approval for pontoons/moorings/security fencing and lighting. The development has therefore been approved in principle. The alterations now proposed are minor in relation to the development as a whole and would have no adverse effect on the visual amenities of the locality or the character of the area. The existing fencing is moving out to the existing Club boundary line to create 30 parking spaces. The proposed landscaping will assist in visually softening the development, particularly the areas of car parking. The site lies

within a Site of Local Importance for Nature Conservation. It is considered that any disturbance to rare plants would be minimal and the compensatory mitigation measures which include the provision of ranch style fencing to protect the sand catchfly plant are acceptable and have accordingly been made the subject of a condition.

The creation of the pontoons and dredging works are acceptable in principle to the Engineers subject to imposition of an appropriate condition being imposed.

No lighting spillage has been submitted as part of the application, but this can be covered by an appropriate condition. The lighting would be adjacent to the roadway, and would be operated by motion sensors. It would therefore only operate when necessary. 2 posts each with 2 floodlights are not considered excessive. They therefore accord with policy GEN33 of the Local Plan in that the light levels are the minimum required for security and working purposes, the protected glare and spillage would be consulted by condition and there would be no adverse impact on neighbouring land uses on the wider landscape. The site adjoins the dingy compound to the north and open vegetated land to the south. The site lies in a rural area where background lighting is limited. The occasional use of two sets of security lights would not detract from the existing unlit character of this part of the west bank.

The site lies within policy area Site II where planning permission will be granted for additional moorings, provided there is no adverse impact on nature conservation interests and that proposals are not detrimental to the integrity of tidal defences or the ability to maintain or improve them. The agent has provided sufficient information to demonstrate implications for nature conservation and protection of species would be minimal and are acceptable and there would be no change to the integrity of tidal defences. The proposal therefore accords with this policy.

The application is therefore recommended for approval subject to the following conditions.

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 1:5000 site plan, SBR-11.5 X 2-PR01-000, SBR-7.5 X 2-PR01-000, PL/04, 2106/PL/01/1, 2106/PL/01/2 and 2106/PL/03.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme in accordance with the details indicated on drawing no.2106/PL/01/1. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from

the completion of 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 GEN7 of the Arun District Local Plan.

- 4 During construction works the rare plant species (which includes the sand catchfly) located on the site frontage and identified on drawing 2106/PL/01/1 shall be protected by the ranch style fencing as indicated on the submitted plan.

Reason: To ensure the retention of vegetation important to the ecological quality of the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 5 External lighting in association with this development shall be motion sensor operated and comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.
Reason: To control the residential amenities of the local environment in accordance with Arun District Local Plan policies GEN7, GEN33.

- 6 The development shall not proceed until details of the proposed surface water drainage scheme have been submitted and approved in writing by the Local Planning Authority. Surface water drainage shall be carried out in accordance with such details and in conjunction with associated building works. The system should include trap gullies and oil interceptor, especially if the proposal is to discharge to the river.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Local Plan.

- 7 The pontoons shall not be brought into use until the parking spaces indicated on drawing no. 2106/PL/01/1 have been provided and such space shall not thereafter be used other than for the parking of vehicles.

Reason: In the interests of road safety and to accord with approved policy in accordance with policy GEN7 of the Arun District Local Plan.

- 8 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN33, SITE11, AREA15

NATIONAL POLICIES: PPS1, PPS7, PPS9

This is only a summary of reasons for granting to comply with Article 31 and full reasons

appear in the Officer report.

- 9 INFORMATIVE: This permission relates only to works above High Water Mark and does not purport to to grant consent for any works below this level which are outside of planning control and would be subject to consent from other relevant authorities.