

Fredrick Adam Ltd
Lymington Bottom Road
Lymington Farm Industrial Estate
GU34 5EW

Date: 21st April 2021

Please ask for: Mrs A Gardner

Tel: 01903 737529

Your Ref:

Our Ref: PAA/17/21/

Dear Mrs Dames,

Pre-Application Advice

Proposed residential development of former warehouse site.

Land at number 57 River Road Littlehampton BN175DD

I write regarding the above matter and your enquiry received on 16th February 2021.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted, I understand that you would like a response to the points raised in your letter dated 16-02-2021 and to the amended plans showing the top floor of the southerly block further away from the eastern boundary (over 4 metres) and 49 River Road (over 6 metres).

DESCRIPTION OF SITE

2 storey warehouse style building with parking area to east. Flint elevations (lower portion on River Road painted) and slate roof. Premises are occupied by Riverside Autos. External timber staircase to first floor.

DESCRIPTION OF LOCALITY

Predominantly residential characterised by a mix of dwelling type, style and height. New dwellings to west are 4 storeys in height with sloping roofs. To east no.49 is detached and 2 storeys high. Opposite modern flat development.

PLANNING ISSUES

In respect of the points raised in your letter dated 16-02-2021 in response to the advice sought the following response is provided:

- 1) The Council agree that the site can accommodate a residential scheme provided the previous reasons for refusal are satisfactorily addressed
- 2) The floating pontoon would need to be included within the red edge of the application site and Notice served on land owner. How is a floating ponton offering resident mooring spaces considered to be a benefit weighing in favour of the scheme?
- 3) The Council do not have a 5 year HLS, but the site lies within the built up area boundary where residential development would be acceptable in principle.

4) Is the current employment use likely to be relocated elsewhere? How long does any current tenancy agreement have left to run? How many jobs would be lost. Are these full time posts? Are there any factors such as retirement/intended closure of the existing business within the next year which would weigh in favour of the proposal?

5) I am unable to provide details of applications within last 5 years within the Littlehampton Economic Growth Area. You would need to undertake your own research in this respect.

6) Short term would be defined as within the next year

7) Demolition would be an essential part of the redevelopment proposed and was considered as part of the proposals as a whole. There is no specific reference to this, but it is an inherent part of the scheme.

8) The application was not assessed on the basis of number 57 being a designated heritage asset.

9) The building would be overpowering in relation to no 49 River Road. It is not considered residential amenity would be adversely affected. The comments relate to the visual impact of the proposal.

10 and 11) The presence of the development at number 47 River Road was a material consideration weighing in favour of the proposal given its similar design and height. There is no reference to the proposal being at odds with this development in the officer report or reasons for refusal. The proposal seeks to replicate the approach undertaken with the neighbouring development. That is to say, retaining the front elevation of the existing warehouse and developing behind it. Unlike the neighbouring development, this proposal will also encroach upon the land to its side.

12 and 13) The existing property is an attractive small warehouse that has clearly been adapted a number of times since its construction. It is one of two unlisted, but locally important buildings, which are rare survivals of the east bank wharves and quays. The other building being 49 River Road. The property also has an area of land to one side which is enclosed by walling to the road.

The Littlehampton Extensive Urban Survey states: '(at) 47 River Road an early riverside flint and brick warehouse survives, with a mid-19th century warehouse built adjoining to the north-west (now Riverside Autos)'.

It is considered that, even with these changes, as one of the last remaining wharfs in the town, it makes a positive contribution towards the character and appearance of the conservation area. As such, it has been identified as a Locally Listed Building or Structure of Character (policy HER DM2 of the Arun Local Plan). The aforementioned neighbouring property is another Building or Structures of Character (49 River Road). Both properties were identified as such when the list was adopted by the council in 2005.

Policies HER SP1 refers to designated and non-designated heritage assets

14) Comments in respect of the revised plans and elevations which indicate the top floor of the southerly block further away from the eastern boundary by (4 metres) and 49 River Road (over 6 metres) are provided below .

15) In addition to the mandatory documents required to be submitted in support of the revised planning application, it would be helpful if a supporting letter could be submitted with the application highlighting the changes made/ additional information submitted to address the previous reasons for refusal.

It is also suggested that any submitted planning application identifies how it complies with the recently adopted Arun Design Guide parts D, J K and L.

16) It would be helpful to have a wider street scene elevation or a section to allow an informed assessment of the wider environs of the CA

RELEVANT PLANNING HISTORY

LU/247/20/PL	Partial demolition of existing building, retention of boundary wall & street facade, partial demolition of boundary wall to incorporate new pedestrian gateway & gate, erection of 6 No. flats in 2 blocks connected by shared stair & lift core, on site parking yard for 8 No. cars & 8 No. cycles & space for communal refuse & recycling bins. This application affects the character & appearance of the Littlehampton River Road	Refused 11-12-20
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Conservation Area & is in CIL Zone 4 (Zero Rated) as flats.

RELEVANT POLICIES - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
QEDM3	QE DM3 Air Pollution
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
HERDM3	HER DM3 Conservation Areas
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
QEDM4	QE DM4 Contaminated Land
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
TSP1	T SP1 Transport and Development
TSP2	T SP2 Littlehampton to Arundel Green Link
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
SDSP1	SD SP1 Sustainable Development
EMPSP2	EMP SP2 Economic Growth Areas
EMPDM1	EMP DM1 Employment Land: Development Management

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
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Littlehampton Neighbourhood Plan 2014 Policy 17	Buildings and Structures of Character
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Planning Policy Guidance:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

PRINCIPLE

The application site is situated within a sustainable location close to the town centre and railway station where the principle of development is acceptable.

The proposed development will deliver 6 additional homes on previously developed land in accordance with Policy SD SP1a, and will contribute towards meeting the Council's overall housing needs as

detailed within Policy H SP1.

DESIGN

Policy D DM1 of the Arun Local Plan requires new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. In addition, paragraph 127 of the NPPF requires developments to be visually attractive and sympathetic to local character and history. Government advice in section 12 of the NPPF indicates that design which is inappropriate in its context should not be accepted. Any application submitted should demonstrate accordance with parts D, J K and L of Arun Design Guide.

The existing building is situated in a prominent location within River Road being visible from the river, bridge and road frontage.

The design of the building/ elevational treatment proposed are considered acceptable in principle. It is suggested that the building footprint/layout could be improved in line with the suggestions made by the Conservation Officer.

NEIGHBOUR AMENITY

Paragraph 127(f) of the National Planning Policy Framework (2019) requires planning decisions to create places with a high standard of amenity for existing and future users.

Policy QE SP1 of the Arun Local Plan requires all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) of the Arun Local Plan requires development to have a minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

In this case, it is considered that the proposed development would have an acceptable impact on the residential amenities of neighbouring properties in accordance with policy D DM1(3) in terms of overlooking to other existing balconies on properties to both sides of the proposal. Screening of balcony sides and restricted openings on flank walls and use of flat roofed areas could be conditioned at application stage in order to protect privacy of adjoining properties.

AMENITY SPACE PROVISION

Policy D DM1 of the Arun Local Plan indicates that development will be permitted provided that amongst other considerations the proposal creates attractive places and spaces with the needs of people in mind. On this basis, well designed and adequate amenity space provision for residents is considered essential to meet the policy requirements of the local plan.

Policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

It is therefore necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the new buildings will be suitable for residential use. The proposal is likely to be acceptable on this basis due to internal gross floor areas exceeding the Nationally Described Space Standards and external amenity space being provided for each flat in the form of a balcony

BIN STORAGE

For all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. For flats, the communal/bulk bins can be used on the basis of 240 litres of residual waste storage/bin per flat. Alternatively one 240 litre wheelie bin for each property can be provided.

The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

It is recommended that if any communal provision is located near or adjacent to the highway, it will be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

HIGHWAYS TRANSPORT AND PARKING

Planning policies allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians, and car parking. Car parking requirements will vary according to accessibility of the site to public transport or services, or location within a town centre.

In respect of parking, ALP policy T SP1 states that: "The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

Paragraph 109 of the NPPF states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

You are also advised that County Highways are consulted for highway advice on applications and you can make use of their pre app advice service.

In addition Arun has recently adopted its own parking standards which require 2 spaces for each 3 bed unit and 1 space for 2 bed units, plus 20% for visitors equating to an additional 1.5 spaces. This results in a total requirement of 12.5 (13) spaces.

The cycle parking generated would be 1 per unit requiring 6 spaces. It is noted sufficient spaces are indicated on the ground floor plan,

The site is sustainably located being close to bus routes and within walking distance of the station and the below standard car parking provision would be acceptable in this position. The proposal is likely to be acceptable in transport and highway terms in accordance with policy TSP1 of Arun Local Plan.

Arun District Council's Electric Vehicle Infrastructure Study was agreed at Full Council on 18-01-2019 and policy QE DM3 of the Arun Local Plan seeks to encourage the use of electric vehicle charging points. Therefore any proposal should make such provision at a rate of 2% of the parking spaces provided.

SUSTAINABLE CONSTRUCTION

Tackling climatic change is a key government priority for the planning system. Applicants for planning permission should consider how well their proposals for development contribute to the Governments ambition of a low carbon economy and how well adapted they are for expected effects of climatic change. Applicants should include renewable energy in the form high level insulation, rainwater harvesting a general minimal energy use, including Carbon Dioxide reduction and energy efficiency measures. This is a policy requirement of policy ECC SP2 of Arun Local Plan which states that all new development should be energy efficient and;

- a. Achieve energy efficiency measures that reflect the current standards applicable at the time of submission;
- b. Use design and layout to promote energy efficiency;
- c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels

FLOODING

As set out in the National Planning Policy Framework, inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The site is adjacent to the River Arun and located within flood zones 3a and 2 and therefore there is high risk from flooding to both the development and any future occupants. There are requirements regarding the submission of a Flood Risk Assessment and Sequential test documentation. The relevant requirements for these are dependent upon the designated flood zone that the site is located within and the Technical Guidance to the NPPF provides more details on these issues.

The acceptability of the proposal in respect of flood risk and compliance with policies ECC SP1 and WDM2 is likely to depend on the comments of the Environment Agency. Should you wish to consult with them prior to any application being submitted they have their own chargeable pre application enquiry service.

CONSERVATION AREA

The impact of the development on the Conservation Area and Buildings and Structures of Character will be discussed below:

In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The submitted proposal would not meet these objectives and comply with policies HER SP1,HER DM3 and HER DM2 of Arun Local Plan.

The Conservation Officer has provided the following comments:

57 River Road Littlehampton BN17 5DD

The existing property is an attractive small warehouse that has clearly been adapted a number of times since its construction. It is one of two unlisted, but locally important buildings, which are rare survivals of the east bank wharves and quays. The other building being 49 River Road. The property also has an area of land to one side which is enclosed by walling to the road.

The Littlehampton Extensive Urban Survey states: '(at) 47 River Road an early riverside flint and brick warehouse survives, with a mid-19th century warehouse built adjoining to the north-west (now Riverside Autos)'.

It is considered that, even with these changes, as one of the last remaining wharfs in the town, it makes a positive contribution towards the character and appearance of the conservation area. As such, it has been identified as a Locally Listed Building or Structure of Character (policy HER DM2 of the Arun Local Plan). The aforementioned neighbouring property is another Building or Structures of Character (49 River Road). Both properties were identified as such when the list was adopted by the council in 2005.

In addition, the property is located within the Littlehampton (River Road) Conservation Area. A key element of the conservation area is its relationship with the river. River Road runs parallel to the river (to its west) and the site looks directly on to it. Wharves were developed in the area in the 18th century and, especially the early 19th century.

The conservation area was enlarged and extended westwards in 1991 to include some of the remaining 19th century riverside buildings and those fronting Terminus Road which reflect the growth of the harbour at that period. It is of architectural and historic significance.

The proposal

The proposal is for the demolition of the majority of the existing building, retaining the front façade (which would be repaired) and the construction of two linked blocks of apartments.

Context

Whilst the road consists of a number of terraces with narrow vertical breaks, it should be noted that the yard to the side of 47 River Road is one of the last remaining undeveloped areas along the road. In addition, it appears to be an area of land that is associated with the property. This area of land is therefore important to the character of the local area, as well as for its association with 47 River Road.

Historical mapping identifies that the area has remained undeveloped and unchanged. It also affords the opportunity to look out of the conservation area to the west bank and further remains of further remnants of the area's association with the river. However, it is acknowledged that the new river wall unfortunately reduces the links with the river from the road.

The development of this section of undeveloped land would result in the loss of this space. Whilst it would be desirable to retain such a gap site in order to preserve the pattern and rhythm of development in the street, it is also acknowledged that the site and the building are both in a poor state of repair which detracts from the generally positive nature of the conservation area, when taken as a whole. It is considered that the redevelopment of this site offers the opportunity to improve this part of the conservation area, which is positive.

Loss of the asset

The proposal seeks to replicate the approach undertaken with the neighbouring development. That is to say, retaining the front façade of the existing warehouse and developing behind it. Unlike the neighbouring development, this proposal will also encroach upon the land to its side.

The existing building is considered to be a crucial dimension to the sense of place and local history, and it is considered that its loss would be harmful to the local character of the conservation area. However, it is thought that the loss of the building could be considered acceptable as a result of issues related to its lack of structural ability to tolerate conversion.

As I have tried to state previously, I am not a structural engineer, but if it can be clearly proven (in an understandable format) that the building is beyond economic repair, I would obviously not request for the building to be kept. However, I would want for the building to be recorded prior to its demolition, so that the information can be placed on the Historic Environment Record and provided to the local museum.

It might also help for an information board to be provided so that anyone looking at the development could understand the history of the site/immediate area. This could be undertaken in association with the local heritage group.

I would also suggest that it would be positive to incorporate some of the flints into the new development. This would enable the development to reflect the new development to one side, as well as what would be the last remaining wharf building on the other.

The Proposed Development

The proposed development consists of two blocks of apartments with a glazed central area which incorporates the access stairs. The concept of splitting the building with a glazed area in between seems to be a positive approach, as it allows some of the existing space between the buildings to be retained. It also replicates the spaces between the other buildings along this side of the street. Likewise, the use of pitched roofs is also positive and reflected in buildings in the local area. The modern design elements also reflect those of the neighbouring building, which also incorporates some

elements of former warehouses.

The southern block 'steps' down towards the neighbouring locally listed building, and this is a positive feature of the proposal. Such a proposal is an improvement on the previous scheme.

One suggestion to amend the design would be to increase the gap between the southern building and the neighbouring non-designated heritage asset. Additional floor space could be provided by pushing the building back further into the plot and utilising the space behind the lift shaft.

If carefully detailed and high quality materials are used, I am of the opinion that the development would reflect the recently built adjoining terrace and the character/appearance of the conservation area when taken as a whole.

Conclusion

The revised scheme is an improvement on the previous one and would result in the removal of an unkept site in the conservation area. Subject to confirmation over the condition of the existing building, the consideration of increasing the separation between the new building and the neighbouring locally listed heritage asset, along with the use of high quality materials, I am of the opinion that the proposed scheme would result in a successful development.

CONTAMINATION

Development on or close proximity to hazardous sites or contaminated land will be permitted provided the Council is satisfied that appropriate remedial measures can be or have been undertaken in respect of human health and groundwater. The proposal is likely to be acceptable subject to a detailed Contamination Report.

OTHER CONSIDERATIONS

The Council adopted the Community Infrastructure Levy Charging Schedule on 01 April 2020. Any applications decided from 01 April 2020 will be subject to the CIL payments as detailed within the adopted Charging Schedule.

The map detailing the charging schedule zones can be found here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14675.pdf&ver=15026>

The Council's Draft Charging Schedule, including any exemptions, are detailed here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14676.pdf&ver=15027>

ECONOMIC GROWTH AREA

The site lies within an Economic Growth Area which has been designated in the Local Plan to promote vitality, viability and regeneration within the area and contains an employment site in the form of a garage/ workshop. Policies EMP DM1(2) and EMPSP2 are therefore relevant. The site includes a garage premises within the site and to accord with policy EMP DM1(2) the proposal would need to demonstrate that the site does not have a reasonable prospect of employment use by demonstrating that the use is no longer required and unlikely to be re-used including marketing and viability appraisal. The proposal would provide additional residential units which would help to support the town's retail functions in compliance with policy EMP SP2.

BIODIVERSITY

Policy ENV DM5 of Arun Local Plan refers to development and biodiversity and states that all developments shall in the first instance seek to achieve a net gain biodiversity and protect existing habitats on site. In this respect it is suggested that a preliminary bat/owl survey may be required given that there is potential that the building is used as a roost and some form of biodiversity gain is indicated within the proposal.

CONCLUSION

Based on the above comments I conclude that were an application for planning permission to be submitted it would be likely to be approved subject to:

- a) satisfactory justification of the demolition of the heritage asset, rather than conversion as required by para 193 of the NPPF and clear and convincing justification for its loss or resulting harm as required by paragraph 194 of the NPPF.
- b) satisfactory demonstration that the development meets the environmental objectives of sustainable development by appropriately justifying the development footprint and design as a whole.
- c) satisfactory description of the significance of the heritage asset, including contributions made by setting and assessment of harm against public benefit as required by the NPPF.
- d) satisfactory justification that the site does not have a reasonable prospect of employment use by demonstrating that it is no longer required and unlikely to be re-used including marketing and viability appraisal.
- e) submission of a satisfactory Flood Risk Assessment and Sequential test documentation.

Further consideration should be given to amending the design to increase the gap between the southern building and the neighbouring non-designated heritage asset. Additional floor space could be provided by pushing the building back further into the plot and utilising the space behind the lift shaft.

FOLLOW UP MEETING

If you require a follow up meeting to discuss this pre-application and advice, you will need to forward a written request together with a fee made payable to Arun District Council if not already included in the fee you have already paid.

MAKING AN APPLICATION

If you decide to proceed with making an application you will need to quote the reference number for this advice in the pre-application advice section of the relevant application form. This will ensure that the application receives priority and a speedy validation process.

You will need to submit the following documentation/information with your application to meet the National Validation Requirements:

Fully completed and signed Application Form with full description of the proposal.
Ownership Certificate and Agricultural Land Declaration
Design and Access Statement
Correct Fee
Location Plan (1:1250)
Site / Block Plan (1:500)
Elevations (Existing and Proposed)
Floor Plans (Existing and Proposed)
Roof Plans

Please note that the Council has a Local Validation Requirements List for each type of application and you should refer to it before submitting your application. Failure to provide the required documentation will result in the application being treated as incomplete and delay the validation of the planning application.

Having looked through the Local Validation Requirements List, I would suggest that the following additional documents will be required:
Land Contamination Assessment

Economic Development Statement
Flood Risk Assessment
Foul and Surface Water Drainage Statement
Bin Storage and Collection Provision
Parking Plan
Street Scene
Structural Survey
Historic Environment Record Search
Heritage Statement

You should be aware that any advice given by the Council in relation to pre-application advice will be based on the case Officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed are given without prejudice to the consideration by the Council of any formal planning application which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application. Any further correspondence will be at the Case Officer's discretion depending on the nature of the further enquiry. It may be necessary to submit a further pre-application advice request. Please note this advice only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations or ordinary watercourse consents. You will need to carry out your own checks to determine whether any other consents or permissions are required.

I trust this is of assistance to you.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning