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4th December 2025

Town and Country Planning Act 1990 (as amended)
S73 Application to vary condition 4 (approved plans) and 32 (BREEAM) associated with
planning permission LU/47/11 as amended by LU/346/14/PL and LU/182/15/PL
Planning Portal Reference:

This s73 application is submitted to regularize changes to some of the parameter plans approved under outline consent LU/47/11 resulting from the reserve matter applications submitted for Phase 6a, the Local centre / Phase 6b and the Open Spaces. The changes follow discussions with Planning Officers and Littlehampton Town Council. It also seeks a DoV to the s106 which runs with the land.

Background

The original Outline application was approved in 2013 under reference LU/47/11. It was subsequently amended under two s73 applications. The first (ref: LU/346/14/PL) sought to amend the wording of conditions 11, 17, 18, 20 and 30. The second (LU/182/15/PL), sought to further amend conditions 6, 7, 8 and 39, delete condition 42 and amend the approved plans under condition 4.

This new s73 is required to regularise changes necessary to facilitate the delivery of the remaining phases of development at Hampton Park and facilitate the comprehensive delivery of the North Littlehampton Strategic Development allocation. It also seeks to amend condition 32.

Proposed amendments to parameter plans

Following discussions with both Littlehampton Town Council and Arun District Council it has been established that a combined community and youth facility provision will be made. It has further been agreed that a more appropriate location for the facility would be in the local centre. This is in part due to delays and uncertainty around the delivery of a school (which lies beyond the control of Persimmon Homes) and in part due to complementary

facilities that will be provided in the local centre.

This in turn frees up the community centre land use parcel and the youth facility land use parcel.

On the community centre land, it is proposed to deliver LEAP 4 and some fitness equipment. This equipment is in lieu of a fitness trail around the central wetland area and phases 5 and 6a. Further elements of fitness equipment will also be provided on three of the LAPs in Phase 6a.

On the youth facility land it is proposed to deliver 17 residential dwellings. This parcel will help to reconcile the s106 affordable housing requirements for the local centre, and in particular the lack of houses able to be delivered within it.

As part of the above changes, we need to regularise the position regarding the delivery of the fitness trail. The originally approved parameter plans in relation to play and fitness envisaged a fitness trail that followed the route of the central wetland area and phases 5 and 6. However, due to the need to avoid built form in the damp zone of CWA and the usability / maintenance of these pieces of equipment, it has been acknowledged that it will not be possible to deliver the fitness trail in this form. Following pre-application discussions, it has been agreed that there will no longer be a defined area of fitness equipment. Rather the recreational and play offering in LEAP 4 and three of the LAPs in Phase 6a will be expanded to provide a wider range of play and recreational experiences that include elements of fitness equipment. Collectively, this provides a far more diverse offer than envisaged with the outline consent and is representative of how outdoor spaces are evolving to meet the needs of the younger generation. The combined facilities on Phase 6a and LEAP 4 will encourage children and young people to develop balance, co-ordination and strengthening skills along with more engaging play and social activities.

The location of the northern allotments has also changed. The outline proposed a location to the east of the Norway Ditch accessed from residential land use parcel F2. However, the Norway Ditch provides a physical constraint for access and the engineering solution that would be required to provide a bridge over the Ditch would both be expensive and complex to deliver. Further, to be DDA compatible and of a size large enough to accommodate a tractor for maintenance much of the land available would be taken up by the construction requirements for a bridge. During discussions with the Town Council, they also raised concerns about the relatively isolated location of the allotments. As such, following pre-application engagement it has been decided to move the allotments to a position south of the playing fields, with the currently allocated land being left undeveloped for ecological benefit.

Regarding delivering the Black Ditch open space, the approved Pedestrian and Cycle Access drawing approved under LU/182/15/PL did not provide any detail for this area. The RMAs for Phase 6a and Open Spaces provide for this access; it therefore makes sense to update the approved play and fitness routes drawings (519-GR-L-011) to accord with what will be secured under these consents.

We are also seeking to regularise the vertical alignments, vehicular access and pedestrian and cycle access parameter plans so that they accord with what has been delivered out on the consented phases and what is proposed with the last RMA submissions.



The above requires parameters plans secured by condition 4 to be amended. The following table details the new drawing references:

Drawings Consented under LU/182/15/PL	Proposed New drawings
519-GR-L-006 B – Land Uses	519-GR-L-006 C -Land Uses
519-GR-L-008 B – Vertical Alignment	519-GR-L-008 D – Vertical Alignment
519-GR-L-010 B – Vehicular Access	51-GR-L-010 E – Vehicular Access
519-GR-L-011 B – Play and Fitness Routes	519-GR-L-011 C – Play and Fitness Routes
519-GR-L-014B – Pedestrian and Cycle Access	519-GR-L-014 C – Pedestrian and Cycle Access

Proposed amendment to condition 32

We would also like to explore amending condition 32. This condition requires non-residential buildings to achieve a very good BREEAM rating. However, buildings under 500sqm cannot achieve a BREEAM rating – both the community use and changing facilities proposed under the Local centre and Open Spaces RMAs respectively are under 500sqm and therefore will not be able to achieve a BREEAM rating. As such condition 32 needs to be amended to reference the 500sqm and above threshold for BREEAM.

In addition, we would like to amend the required rating to ‘good’ rather than ‘very good’. While we have submitted the local centre reserve matters application in the anticipation that the retail building will be able to secure a very good BREEAM, we consider there needs to be recognition that in the intervening years since the outline consent was secured the requirements to secure a very good rating have increased substantially, to such an extent that a level of flexibility is now needed.

The table below provides a summary of BREEAM ‘very good’ rating 2012 vs 2025 (version 7) – this is just a high-level summary of the nature of the changes, but the implications on design are very onerous.

Initial pre-assessment work has been undertaken, and accompanies the local centre RMA, and this demonstrates that as far as possible the design has evolved to secure a very good rating. However, the detailed design element which will occur post securing a planning approval may cause viability and deliverability issues and to ensure that the local centre can be delivered as designed it is requested that the BREEAM requirement is changed to good. A good rating under today’s criteria is comparable to, if not higher than, the rating requirement of 2011/12 when the outline consent was granted.

Category	2012 criteria (BREEAM 2011/2012)	2025 Criteria (BREEAM v7)
Score Threshold	> 55% overall score	Still > 55% but harder to achieve due to stricter criteria
Energy	Focused on design-stage energy efficiency and EPC	Emphasis on actual performance, operational



	ratings	modelling and carbon forecasting
Carbon	Limited whole-life carbon consideration	Whole-life carbon and embodied carbon assessments encouraged, with benchmarks
Materials	Basic responsible sourcing and material efficiency	Requires life cycle assessment at multiple stages, circular economy principles
Water	Water consumption benchmarks based on fittings	Based on predicted actual use, more stringent modeling and leak detection
Health and Wellbeing	Indoor air quality, daylighting and thermal comfort assessed via simple metrics	Advance metrics including daylight glare probability, circadian lighting, and acoustic separation
Pollution	Refrigerant impact and NOx emissions	Minimum refrigerant standards, fossil fuel phase-out encouraged
Management	Focused on project management and commissioning	Aligned with EU Taxonomy, ESG reporting and zero transition plans
Innovation	Optional credits for exemplary performance	Still available, now tied to EU-aligned performance outcomes and digital assessment tools.

S106 changes

In addition to s73, we also need to progress a further deed of variation to the principle s106 agreement dated 23rd January 2013.

The variations sought are as follows:

- Amend definition of changing facilities – amend to comprise of 4 changing rooms.
- Deletion of the definition of community centre.
- New definition of community centre to refer to a community use delivered as part of the local centre.
- Deletion of community centre contribution as we will be delivering this facility as part of the local centre.
- Deletion of the community centre land definition.
- Deletion of community centre scheme.
- Introduction of a new definition dealing with the transfer of the community centre use to either Arun District Council or Littlehampton Town Council.
- Amendment of Fitness Trail definition to refer to fitness and recreation equipment being provided on LEAP and LAPs 1, 2 and 4 on Phase 6a.
- Amendment to reference to LEAP 4 now being delivered on the former Community



- Use Land – including a change to Play and Fitness Plan showing this location.
- Amend definition of Northern Allotments to a location south of the playing fields.
 - Amend definition of playing fields to reference car parking for 30 spaces.
 - Deletion of Youth Equipment definition – being provided as part of LEAP 4.
 - Deletion of Youth Facility definition – combined with community centre use in the local centre.
 - Deletion of Youth Facility contribution – now being delivered this as part of the local centre.
 - Deletion of Youth Facility scheme – now being delivered as part of the local centre.
 - Deletion of Youth Facility site.
 - Amendment of Schedule 3, part 1, clauses 11 and 12 to reflect amendment of Schedule 3, to reflect that there will be no fitness trail but rather a fitness proving will form part of the LEAP 4 and some equipment will also be shown within LAPs 1, 2 and 4 in Phase 6a.
 - Schedule 4 – delete. Replace with new drafting reflecting that a community and youth facility use will be delivered in the local centre. Reference to an updated land use plan.
 - Schedule 5: Affordable housing – minor amendments to address unit delivery in Phases 6a, 6b and Local centre (in accordance with an affordable housing reconciliation to be agreed as part of the RMAs).
 - Schedule 5: clause 9 – discounted market housing – there is not a cascade mechanism currently drafted to take advantage of this clause, due to the difficulties with the affordable housing market it would be helpful to have a cascade mechanism drafted, and for this to be expanded to include other affordable products such as build to rent. This could help with the delivery of the affordable units on site and prevent the need to seek future DoVs.
 - Schedule 10: clause 1 (g) delete reference to pedestrian footbridge as part of the Toddington Lane Crossing Works – it was previously agreed that a DDA compliant railway bridge could not be accommodated due to space available and amenity issues. We note the recent appeal decision in relation to the Birch Level Crossing and the acceptability of an ‘up and over’ pedestrian bridge, however the situation at Hampton Park is different particularly in terms of viability, the impact on existing residential properties, proximity of a listed building and the suitability of the land available to accommodate a bridge of any form. Further evidence in this regard will be submitted following engagement with Officers, WSCC and Network Rail. In lieu of the pedestrian crossing, we have agreed a scope of s278 works to Toddington Lane and it is proposed that drawings showing these works are appended to the s106 as part of this DoV.

A draft consolidated s106 agreement is being prepared and will be submitted shortly. It combines all previous s106 DoVs into a single document as well as annotating the amendments sought as part of this application.

Summary

In summary, it is submitted that the proposed variations to outline planning permission LU/47/11 as set out above are appropriate. They reflect discussions undertaken with the relevant authorities and will facilitate the comprehensive redevelopment of Hampton Park.

I trust that the proposed variations to the outline permission are clear. If you require any other information or wish to discuss this further, please do contact me.



Otherwise, I look forward to receiving confirmation that the application has been registered and validated in due course.

Yours Sincerely



Laura Jackson
Head of Planning



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