

Recommendation Report for Planning Permission

REF NO: LU/25/26/PL

LOCATION: 6A & 7A Selborne Road
and 25B & 25C Western Road
Littlehampton
BN17 5NN

PROPOSAL: Change of use from light industrial with 1 No. flat to 6 No. flats, first floor extension and solar pv panels on the flat roof. This application affects the setting of listed buildings, affects the character and appearance of the Littlehampton Sea Front Conservation Area and is in CIL Zone 4 (Zero Rated) as flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks the change of use of ground-floor light industrial units to residential (C3) alongside the construction of a first-floor extension with solar panels to provide six flats.
SITE AREA	384sqm.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	182dph.
SITE CHARACTERISTICS	The site features a single-storey rendered building with a part flat roof and part hipped roof that fronts onto Selborne Road. The site includes a two-storey hip-roofed building central to the plot behind the Selborne Road frontage, and a rear courtyard that extends back to meet Western Road, with vehicular access to the rear courtyard being taken from the latter. The building is a locally-listed Building of Character, which, despite its weathered appearance, makes a positive contribution to the character of the area and is one of the only non-residential buildings in the locality.
CHARACTER OF LOCALITY	The site meets Selborne Road and Western Road, with the primary frontage of the existing and proposed development being toward Selborne Road. The area is predominantly residential in character but some retail uses are present. The north side of Selborne Road features a more regularised design pattern, but the southern side and the wider area is generally more mixed. The density of development is high, and many of the non-uniform properties show clear evidence of their built evolution in their form, alterations and extensions. Many properties within the area are Grade II Listed or Locally-listed, and the southern side of Selborne Road, including the site and much of the surrounding area, falls in the Littlehampton Seafront Conservation Area.

REPRESENTATIONS

Littlehampton Town Council - No objection.

1 letter or support from a nearby occupier:

- Consider the proposal to be a positive addition and in character with the area
- Support the provision of additional housing and solar panels
- Do not believe there will be any significant impacts on neighbours

1 letter of objection from a nearby occupier:

- Don't object to the site being redeveloped
- Strong objection to the lack of proposed parking

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. All relevant planning matters are discussed in the report below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Panel - Objection:

- The existing single-storey building on Selborne Road, despite alterations and the need for repainting, has Art-Deco characteristics that reflect the historic mixed commercial and residential use of the Conservation Area and makes a positive contribution to its character.
- The development obliterates the form of the structure and replaces it with an overly-dominant, ill-fenestrated development that would harm the street scene and the Conservation Area.
- The use of uPVC fenestrations is inappropriate.
- While longer terraces exist nearby, their massing is mitigated through the expression of individual property widths with prominent gables and varied materials and detailing, features which are absent from the proposal.
- Overall, the scheme conflicts with relevant NPPF guidance and local plan policies relating to Conservation Area protection, design quality, and local distinctiveness.

Conservation Officer - Objection:

- Full comments are available on the Arun District Council website under this application's reference number, and have been sent to the agent.
- Described the significance of the relevant heritage assets.
- Identified that the proposal fails to reflect the historic character of the building by virtue of its design, massing, materials, and loss of historic features.
- Harm to the non-designated heritage asset and less than substantial harm to the designated heritage asset.

Economic Regeneration - No objection:

- The current light industrial use is just over 200 sqm and is not in use.
- It lies within a mainly residential area that is also a Conservation Area.
- All but a couple of the buildings within the area have been converted already.

WSCC Highways - No objection:

- The proposal has been assessed with regard to highway safety and capacity matters.
- The existing use as light-industrial/residential is a material consideration when considering existing expected vehicular trips and parking matters.
- It appears there will be no access from the highway and no parking provided.

- The nil parking provision proposed is not ideal, but the site is in a sustainable location with other means of travel available.
- There is on-street parking available which seems well-used.
- There are parking restrictions in place to stop unsafe parking with enforceable measures to prevent a highway safety issue.
- The Local Planning Authority may wish to consider on-street parking from an amenity perspective.

Environmental Health Private Sector Housing - Advice:

- General advice pertaining to separate legislation covered by the Housing Act 2004, Houses in Multiple Occupation (HMO) Licensing and Management of HMOs and Other Houses (Miscellaneous Provisions) (England) Regulations 2006, The Licensing of HMOs (Mandatory Conditions of Licences) (England) Regulations 2018, Arun District Council's HMO Standards, The Housing Health and Safety Rating System (England) Regulations 2005, and LACoRS national fire safety guidance.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary

Littlehampton Sea Front Conservation Area

Locally-listed Building of Character

Potential Susceptibility to Groundwater Flooding

2km Buffer for Site of Special Scientific Interest (SSSI) (Climping Beach)

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVSP1	ENV SP1 Natural Environment
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM5	ENV DM5 Development and biodiversity
EMPDM1	EMP DM1 Employment Land: Development Management
HERSP1	HER SP1 The Historic Environment
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
QESP1	QE SP1 Quality of the Environment

WDM2 W DM2 Flood Risk
WMDM1 WM DM1 Waste Management

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development
Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town
Littlehampton Neighbourhood Plan 2014 Policy 17 Buildings and Structures of Character

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021
SPD11 Arun Parking Standards 2020
SPD2 Conservation Areas
SPD9 Buildings or Structures of Character

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 conflicts with relevant Development Plan policies in that its design, massing, and materiality fail to respond sympathetically to the character of the existing site, the area, and result in harms to the heritage assets in question. It also fails to provide any on site parking in conflict with transport policies, does not justify the loss of the industrial use in conflict with employment policies, and results in unacceptable harms to the residential amenities of the intended occupiers and neighbours.

The proposal complies with relevant development plan policies in that it is located within a sustainable location, provides energy efficiency measures, and has no adverse impacts on ecology.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -
(a) the provisions of the development plan, so far as material to the application,
(aza) a post examination draft neighbourhood development plan, so far as material to the application,
(b) any local finance considerations, so far as material to the application, and
(c) any other material considerations.

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal conflicts with this criteria in that it results in less than substantial harm to the character and setting of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

The other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site is within the Built-up Area Boundary (BUAB) where development is acceptable in principle subject to the consideration of other relevant Development Plan policies in accordance with Arun Local Plan (ALP) Policy SD SP2 and Littlehampton Neighbourhood Development Plan Policy 2.

The NPPF is an important material consideration in determining applications. As the Council cannot demonstrate a five-year Housing Land Supply (HLS) and the proposal would contribute the five additional residential units within a sustainable location to the Council's current shortfall, NPPF paragraph 11(d) and the application of the 'presumption in sustainable development' are normally engaged.

NPPF paragraph 11d states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes, individually or in combination.

NPPF paragraph 124 promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

NPPF paragraph 125(c) gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.

However, the conclusions reached in respect of harms to the Conservation Area (a Designated Heritage Asset) constitute a 'strong reason' for refusal in line with NPPF paragraph 11d(i) and, on this basis, the presumption in favour of sustainable development (11d(ii)) is not engaged.

CHARACTER AND DESIGN

The site is formed by a single-storey rendered building understood to be in light industrial use, with a two-storey, brick-built element centrally located with a hipped slate roof and courtyard accessed from Western Road to the rear. The main frontage of the site is that which fronts Selborne Road and includes an irregular fenestration layout, two service/vehicular access doors, and two decorative mouldings. It has

a clear commercial/industrial character that contrasts the predominantly residential buildings that front onto Selborne Road, particularly the uniform, harmonious, and decorative designs of the terraced properties opposite the site.

The historic and current light industrial use of the building clearly informs its character, and as discussed further in the heritage section below, it makes a positive contribution to the character of the area despite its weathered appearance. It remains one of the only light industrial buildings within the area with many having been converted over time. This contributes to its significance in the context of the Littlehampton Seafront Conservation Area in which the site resides. The site has been identified as a Non-designated Heritage Asset (Locally-listed Building of Character), and as such, any redevelopment proposal, such as that proposed, needs to involve a sympathetic design that preserves the building's character in a manner appropriate to its significance. The review of the proposals design below, is mindful of this context, and its conclusions inform the impacts on the relevant heritage assets.

ALP policy D SP1 requires proposals to make efficient use of land but reflect the characteristics of the site and local area, including their scale, massing, character, materials, finish, and architectural details, and to have been derived from a thorough site analysis and context appraisal.

ALP policy D DM1 builds on the above by requiring proposals to demonstrate a high standard of architectural design. Development should have minimal impact on nearby properties and should respect the overall scale and character of the area, unless a larger-scale proposal would result in a clear and substantial visual improvement.

ALP policy D DM4 applies to extensions and alterations. It requires proposals to be sympathetic to, and visually integrated with, the existing building in terms of siting, massing, design, form, scale, and materials. Development should be visually subservient, minimise impacts on neighbouring properties, preserve the established spatial character and pattern of the area, and result in a positive addition.

An element of the building that draws attention to its form and gives it prominence at present is its width. It is the widest building in the Selborne Road frontage between St Augustine's Road and North Place. The building is subdivided internally and the frontage has a few sporadic openings and accesses which do somewhat break up its principal elevation, but the single-storey frontage reads outwardly as one building. The width of the building is substantial, and the primary factor that ensures the building does not overly dominate the street scene is its single-storey height and flat roof. The two-storey structure behind the frontage is noted, but its limited width, different, darker materials, and set back position are such that its additional height is not dominant in any way. These factors are of note and could be beneficial to any future alternative design.

The proposed first-floor would meet the front existing principal elevation and span the full width of the building. It would retain a flat roof design but cannot be considered visually subservient and would result in a tall, wide, and imposing building that would be overly-prominent and dominate the immediate street-scene. Wider terraces within the area make use of either differing heights, stepped elevations, differing painted elevations, or decorative features and architectural form to clearly distinguish plot widths within their wider overall form, but the proposal has no notable delineating features to help break up the elevation or to compartmentalise it into separate discernible components either vertically or horizontally. There are detached buildings with larger widths similar to the proposed further east, but they feature more uniform and coherent designs, reading as standalone structures in contrast to the proposed.

The additional prominence would draw further attention to its principal elevation which is poorly designed. The fenestration layout is irregular at ground-floor and more regular at first-floor, with windows of differing designs, materials and proportions. The scattered layout and substantially varied fenestrations all residing on the same plane and elevation results in a messy principal elevation with no

meaningful coherence.

New windows are proposed to be uPVC in white or charcoal (to match existing) without any clarification as to which windows would be which. While the existing timber windows/doors at ground floor to the frontage are painted black/charcoal, they are not white uPVC and this is yet another element that separates the character of existing building as commercial/industrial in nature amongst otherwise residential units with predominantly white painted timber sash windows. White uPVC windows are found on some residential properties to the north side of Selborne Road, but these are not within the Conservation Area (just outside) and are likely later additions not subject to a planning application. In any event, the poor use of white/charcoal uPVC windows along the frontage is not acceptable, made worse by the fact the windows of the proposal would not only vary in proportions but also opening style.

UPVC windows with glazing bars such as those at first-floor are characteristic of modern residential uses rather than industrial, commercial or historic character, leaving an elevation that has a clearly mixed character with no meaningful delineation between building typologies.

The proposal involves the infilling and relocation of a pedestrian access door and the infilling of the two existing vehicular access doors along the frontage. The relocation of the pedestrian access door is not opposed in principle, but the wholesale infill and loss of the service more central vehicular access door removes a significant element of the light industrial/commercial character and past of the structure. It is thought that a more sympathetic approach whereby the vehicular access door could perhaps be retained as a set-in false door with infill behind would be a more sympathetic approach, but instead it has been removed entirely. Such an approach appears to have been taken for the westernmost vehicular access doors, though in review of the floor plans, this remains unclear. The proposed elevations indicate that the form of the doors would be retained, but no details have been provided and the floor plans appear contrary to the elevations in that they do not reflect a set-in or retained feature here. Furthermore, the indicated retention of the access doorway as a feature is disrupted by the awkward siting of a window that straddles the feature and the remainder of the wall on its eastern edge.

The proposed east elevation appears to not include the correct number of openings at ground-floor relative to the remainder of the proposed elevations.

The side and rear elevations (west and south) would be appreciated through the access off Western Road but are set back from the street. These elevations would have a lesser, but still notable, visual impact on the wider locality relative to the north elevation. The inappropriate use of uPVC openings on these elevations would remain visible from Western Road. The existing south and west elevations include a number of unsympathetic uPVC replacements at present and that many of these are hidden from view within the context of the Conservation Area and Western Road, but poor precedents on the existing building or elsewhere area, are not reason to support the use of inappropriate materials under new proposals.

The proposed extension is not subservient, visually integrated with, or sympathetic to the character of the existing building, and overall, the proposal would result in an overly dominant, bulky, poorly-fenestrated, unsympathetic form of development that would detract from the character and visual amenities of the area. This is in conflict with ALP policies D SP1, D DM1, and D DM4.

HERITAGE

The host site is a locally-listed building of character (a Non-Designated Heritage Asset).

The site comprises a modest former workshop and service building arranged around a small yard accessed from Western Road. It has an irregular plan and is built up to Selborne Road, having evolved incrementally over time.

The elevations are utilitarian in character, with large boarded doors and limited glazing. The building has two main elements, one being single-storey and the other, two-storey, likely reflecting different phases of construction. The two-storey element is brick-built with sash windows, while the single-storey element is rendered with decorative relief detailing. The varied roof forms and structure of the building overall reflect its piecemeal alteration and functional origins.

The building remains clearly legible as former industrial premises, contrasting with the surrounding residential terraces. Its enclosed backland setting and retained yard when viewed from Western Road reinforce its industrial character, contributing a distinctive presence within the streetscape and enhancing the building's setting.

The site lies within the northern edge of the Littlehampton (Seafront) Conservation Area (Designated Heritage Asset) which comprises a varied mix of Georgian, Regency and Victorian residential terraces and properties, with a high concentration of listed and locally listed buildings.

Along South Terrace are prominent three-storey listed Georgian and Regency properties with iron balconies, interspersed with later stucco-rendered terraces from the 1860s. Notable within the area are Nos. 1 and 2 Selborne Place, a pair of Gothic Revival semi-detached houses built around 1865 by William White, which introduce a contrasting architectural style.

To the north, smaller domestic properties along Western Road and Norfolk Road are arranged in short rows, providing variety while remaining harmonious in scale and detail.

The character of the Conservation Area is reinforced by original boundary walls, including honeycomb walling, prominent chimneys, and consistent use of stucco, brick, flint and slate. Balconies and gables further enhance architectural interest. Nearby listed and locally-listed buildings also contribute to the area's established character.

The proposal has been supported by a very brief Heritage Statement but this fails to accord with NPPF paragraph 207.

The site is visible from Selborne Road and Western Road, making it particularly readable within the context of the Conservation Area. It reflects the historic industrial and commercial use of the site and mixed-use character of the Conservation Area. Taken together with the neighbouring shop and former public house, it forms one of the area's few remaining non-residential elements and makes a positive contribution to the character and appearance of the Conservation Area and surrounding built form.

The building has clear potential for redevelopment and the proposed change of use to residential would bring it back into active use and support its long-term maintenance and repair. However, the currently proposed design does not reflect or respect the building's industrial character/heritage in multiple ways.

The loss of original features, inappropriate materials, details of the windows/doors, and the replacement of the current piecemeal form with a large, singular mass, are all elements that overwhelm and diminish the significance of the existing building and its contribution to the Conservation Area.

Furthermore, the fenestration pattern is inappropriate and the infill and replacement of the large historic openings, which are essential to the character and heritage of the building, with smaller domestic windows that contrast the design and proportions of the remaining historic openings is inappropriate. The adaptation of the large doors to allow light into the building, while retaining the openings as positive, contributing features would be a much more sympathetic approach.

The first-floor windows proposed to the north elevation do not reflect the industrial character of the

building due to their regular spacing and domestic proportions/design, appearing as starkly residential features and diminishing the more functional and industrial character of the building, its significance, and its positive contribution to the Conservation Area.

Proposing uPVC in the Conservation Area is not appropriate, and the quality of detail for the proposed windows and doors raises concern for the proposal's ability to integrate with the historic character and materiality of the area. The southern elevation of the upward extension also introduces standard modern casement windows which too are out of character with the existing building and its significance.

The garage to be retained on the southern elevation does not provide sufficient internal dimensions to facilitate parking, and the benefit of its retention is unclear, as it may provide greater benefit as a communal waste/bin store, or indeed, additional habitable accommodation.

The inclusion of solar panels, while positive, has not been sympathetically considered. The angled position and height of the panels, combined with the lack of a rear parapet as found at the front, would result in their undue prominence and visibility from along Western Road. These could be more sympathetically and discretely designed.

The proposal is of a design that fails to respond positively to the character and significance of the building and its setting, resulting in harm to the non-designated heritage asset, and less than substantial harm to the designated heritage asset (Littlehampton Seafront Conservation Area). This is in conflict with ALP policy HER SP1, HER DM2, and HER DM3.

In line with NPPF paragraph 212, great weight should be given to the conservation of a designated heritage asset (and the more important the asset, the greater the weight should be). NPPF Paragraph 213 states that any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The design, which is unsympathetic and harmful for the reasons outlined above, lacks any clear and convincing justification as to why a much more suitable design and form of redevelopment would not be possible. Justification on the basis of the selected quantum of development (five new dwellings) is not in itself justification. It is clear the proposal has sought to maximise the quantum of development within the extents of the existing footprint, but this quantum of development results in a development design that is not acceptable. As such, it may be that the proposed quantum is itself, inappropriate.

NPPF paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

NPPF paragraph 216 states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In isolation, given the public benefits of the scheme, namely five new dwellings in a sustainable location, likely improved energy efficiency of the building, inclusion of solar panels, and the short-term economic stimulus during construction, would likely outweigh the harms to the non-designated heritage asset on balance. However, the harms to the non-designated heritage asset, alongside the general design concerns, subsequently causes less than substantial harm to the Conservation Area. The harm to the Conservation Area is not outweighed by the benefits outlined previously.

The proposal is in conflict with ALP policies HER SP1, HER DM2, and HER DM3, and Littlehampton

Neighbourhood Development Plan Policy 17, and the public benefits of the scheme do not outweigh the less than substantial harm to the designated heritage asset.

QUALITY OF ACCOMMODATION

ALP policy D DM2 requires internal spaces to be an appropriate size, with the Nationally Described Space Standards (NDSS) providing guidance.

The submission has not identified what the purpose of each internal room is to be. It is, therefore, difficult to determine complete compliance with the NDSS as it is not clear which rooms are bedrooms and what their respective intended occupancy is, nor has each unit been numbered.

Each unit exceeds the minimum internal area requirements for overall size, in accordance with the NDSS. However, it is not clear which rooms are to serve as bedrooms and many of the rooms within the 2-bedroom units fall marginally below the 7.5sqm and 11.5sqm internal area requirements for single- and double-occupancy rooms.

Each room would be served by windows ensuring sufficient access to light and as a partial conversion some shortfall of the NDSS may be expected. The internal layout of the flats appear to be awkward and somewhat contrived. It is unclear if this is a necessity resulting from the existing structure of the building, but certainly with the first-floor extension being a new addition, it is thought the layout could have been better resolved to avoid shortfalls of internal area and awkward room shapes.

There appears to be an existing first-floor window on the north elevation that persists within the proposed floor plans as an opening between the kitchens of two units. This is assumed to be an error, but would result in an adverse inter-overlooking relationship between the units if intended.

The proposal does not include private external residential amenity spaces for the dwellings, rather it makes use of an existing courtyard to the rear. Having visited the site, and on the basis that neither the Site Plan nor description make reference to alterations of the existing landscaping arrangements, it is understood that they will remain as existing. The courtyard has not been identified as communal amenity space, and would likely be a shared surface simply providing access to the properties and the garage at ground-floor.

If it were intended to be a functional amenity space for the residents, this would likely be detrimental to the amenity of the ground-floor flat to the rear since its only openings would look out to this space, resulting in a distinct lack of privacy within the unit.

While the dwellings would not benefit from any designated external amenity space on site, the site is a short walk from Lobbs Wood and the foreshore. There would be ample opportunity for outdoor recreation and enjoyment of the outdoors. While the lack of private amenity space for typical residential tasks would result in a lower standard of residential amenity, it is not of such a level that it would warrant refusal.

Overall, the internal dimensions of various rooms understood to be bedrooms are slightly below the requirements of the NDSS, the internal layouts of many of the proposed units are awkward and contrived, and the lack of dedicated external amenity space results in a lower standard of residential amenity. However, within this urban context and for the reasons outlined above, the proposal remains in accordance with ALP policies D DM2 and QE SP1.

NEIGHBOURING RESIDENTIAL AMENITY

The existing two-storey built from present on the east side of the plot includes, and would retain, a first-floor residential unit with west-facing windows, none of which are obscured. Any impacts from this element would remain as existing and not result in any additional harms.

As the existing single-storey structure is in situ, the element that would give rise to potential harms is the first-floor extension and its associated openings.

The scale and bulk of the extension would give rise to adverse overshadowing impacts on the neighbouring dwelling No. 23 Western Road since it immediately abuts the rear garden of the unit. While it remains on the northern side of the site, the added height, scale and bulk would further enclose the already constrained rear garden of No. 23. Furthermore, it would result in significantly adverse impacts on the residential amenity of the No. 23 by way of overbearing. The proposed first-floor extension would be positioned immediately to the rear of No. 23 and directly aligned with the rear elevations of No. 23, thereby towering over the rear amenity space, which, is relatively small and constrained by existing built form.

There would be some adverse overbearing and overshadowing impacts on No. 21 Western Road, but none that would be unacceptable due to the offset relationship between the proposal and this unit.

Given the limited depth beyond the front elevation of No. 4a Selborne Road, there would be no unacceptable impacts on this unit by way of overbearing or overshadowing.

In terms of overlooking, the proposal would introduce a number of front- and rear-facing residential windows. The separation between those at the front and the neighbours opposite along Selborne Road are sufficient to prevent any uncharacteristically close or harmful inter-overlooking impacts between the properties. The two to the rear are approx. 9m from the first-floor north-facing windows of No. 25 Western Road. It is understood that the first-floor of No. 25 is a residential use. This relationship is well below the minimum 21m back-to-back separation distance recommended within Section H.04 of the Arun Design Guide. However, it is not an anomalous back-to-back separation distance within this dense urban area; noting that the terraces immediately east of the site fronting Selborne Road and Western Road feature an almost identical relationship. The western-most first-floor south-facing opening would be the only opening of the two that raises significant concern given the eastern-most of the two is offset from the rear elevation of No. 25. The western-most window is likely to serve a bedroom and conditioning the window may, therefore, have not been possible without unacceptable harms to the amenity of its occupier. While the inter-overlooking relationship and spatial separation between the proposal and No. 25 may not be alien to the area, it certainly falls below modern standards and does not represent the prevailing character of the area.

In terms of overlooking, the proposal would introduce a number of front- and rear-facing residential windows. At the front, separation distances to the opposing properties on Selborne Road are sufficient to avoid any uncharacteristically close or harmful overlooking.

To the rear, two first-floor windows would be located approx. 9m from the north-facing first-floor windows of No. 25 Western Road, which is understood to be in residential use. This separation is significantly below the 21m back-to-back distance recommended in Section H.04 of the Arun Design Guide. Such a short separation is not alien to this dense urban area; the short terraces immediately east of the site, fronting Selborne Road and Western Road, exhibit a comparable relationship, however, separation distances such as this do not comprise the prevailing character of the area.

In any event, of the two rear-facing windows, the westernmost first-floor south-facing window raises the greatest concern, as the eastern window is offset from the rear elevation of No. 25. The westernmost window is likely to serve a bedroom, and mitigating it through condition may not be feasible without causing unacceptable harm to the amenity of its future occupier.

Overall, while the degree of overlooking and spatial separation is not entirely alien to the area, it falls well

below modern design standards and does not reflect the prevailing character expected in new development.

The ground-floor of No. 25 Western Road is understood to serve as a commercial use, and the adverse overbearing, overshadowing, and overlooking impacts would not be unduly harmful.

For the reasons outlined above, the proposal would have a significantly adverse and unacceptable impact on the residential amenity of No. 23 Western Road by way of overbearing, and would result in an unacceptable inter-overlooking relationship between the proposal and No. 25 Western Road (first-floor) in conflict with ALP policies D DM1, D DM4, and QE SP1.

ECOLOGY AND BIODIVERSITY

The site is exempt from statutory biodiversity net gain (BNG) under the de-minimis exemption, but would still need to demonstrate a net gain in biodiversity of some degree in accordance with ALP policy ENV DM5. Given the limited ecological value of the current site and that no new footprint is proposed, achieving this would not likely have required any significant works or intervention and details of this could have been secured by way of condition also. There is no evidence of protected species on site before the Local Planning Authority.

The site falls within the 2km Buffer for Site of a Special Scientific Interest (SSSI) (Climping Beach). Given the limited ecological impact of the development, its brownfield status and dense urban environment, there are no direct or indirect impacts identified and the need of the Appropriate Assessment is screened out.

The proposal, subject to conditions, is/would have been in accordance with ALP policies ENV SP1, ENV DM1, and ENV DM5.

TRANSPORT AND PARKING

The site is in a highly sustainable location with the Littlehampton Town Centre an approx. 9-minute walk away, the foreshore a shorter walk to the south, and public transport connections including the Littlehampton Railway Station and multiple bus stops within walking and cycling distance.

The site is a mixed residential and light-industrial use in Parking Zone 2 that would generate a parking demand of eight parking spaces per the Arun Parking Standards (two for the dwelling and six for the industrial use).

The development would require parking provisions for twelve cars (two per unit) in line with the Arun Parking Standards. That said, it is acknowledged that one of the units is to be single occupant only. As such, this unit would likely only require one parking space.

The proposal would result in an additional potential parking pressure of five additional cars on the nearby roads given it has no dedicated on-site parking arrangements. There is an existing garage to be retained, accessed from Western Road, but it does not meet the 3m by 6m dimensional requirements to qualify as a parking space as outlined within the Arun Parking Standards.

Parking in the rear courtyard would likely be lawful, but given it is a narrow access, the site courtyard could only occupy 2-3 cars without impeding access for other occupants of the site. It is unclear how this may impact residential amenity in that cars may be started/stopped and parked outside ground-floor bedroom windows to the rear. In any event, parking arrangements have not been shown and a nil-parking provision is assumed at this time.

The proposal would require the provision of six cycle parking spaces (one per unit) in line with the Arun

Parking Standards. Details of which could have been secured by way of condition, and a communal storage could have been comfortably sited at the rear.

The proposal is in a sustainable location with alternative transport methods available and amenities in close proximity. While a nil-parking provision is likely to result in additional on-street parking pressures, this is not likely to result in significant harms when considering the existing parking requirements of the site, and the aforementioned mitigating factors.

WSCC Highways have raised no objections and suggested a cycle parking condition, which could be attached. The proposal is in accordance with ALP policy T SP1.

EMPLOYMENT LOSS

The proposal pertains, in part, to the conversion of a ground-floor Light Industrial unit which is in disuse and situated within a predominantly residential area. Industrial uses are not generally conducive to dense residential areas due to the potential conflicts between pollution (noise or otherwise) and residential amenity.

ALP policy EMP DM1 provides protection for existing employment sites and premises where there remains a reasonable prospect of employment use. Stating that changes of use from Business Class (B1-B8) or similar sui generis uses will not be permitted unless it has been demonstrated (with appropriate evidence) that the use is no longer required and is unlikely to be re-used or re-developed for industrial/commercial purposes, or that the existing location poses insurmountable environmental harm or amenity which cannot be satisfactorily resolved.

NPPF paragraph 125(c) gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and gives support to appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

The application has not been supported by any evidence that the site cannot be used for its industrial use, nor that it is unlikely to be redeveloped to better accommodate such a use. No evidence of unsuccessful marketing of the site has been provided, nor is there any evidence before Officers that the site is currently, or has, caused unacceptable harms to the environment or amenity. Therefore, the proposal is in conflict with ALP policy EMP DM1.

However, the light industrial use is broadly anomalous within the prevailing character of the area and is understood to be a legacy use of relevance to the historic context of the area. The site is brownfield land within the settlement boundary and a sustainable location. Its light industrial status is not desirable in this location due to the potential harms to neighbouring residential amenity and what is understood to be a relatively uncontrolled use due to the historic nature of the lawful use. The NPPF affords substantial weight to the sites redevelopment for homes as an identified need during a period of acute housing need, and the site appears to have been in disuse since approx. 2022 or earlier. The disuse of the site indicates the industrial use of the site may be difficult to maintain by occupiers, and the use is in a generally undesirable location due to the natural pressures between residential and industrial uses. Economic Development have been consulted on this application, and within the context, have raised no objection to the conversion of the site and the loss of the use.

There is benefit in that the redevelopment of the site would regenerate the appearance of what is a weathered and disused building at present. That said, this benefit is solely tied to the principle of regenerating the site, not to the proposal in question for the reasons outlined within the design and heritage sections, as the proposed design is not acceptable in this instance.

On balance, the loss of the light industrial use will not cause substantial harm within the context of NPPF paragraph 125(c), and the redevelopment of the site for residential uses is acceptable in principle, despite the conflict with ALP policy EMP DM1.

FLOOD RISK AND DRAINAGE

The site is in Flood Zone 1. While the current EA Flood Map for Planning (FMfP) identifies that the site would be entirely in Flood Zones 2/3 in the future when accounting for climate change, the EA has identified to the LPA in written correspondence that the future flood zone mapping on the current version of the FMfP makes use of a national model and should not be relied upon at present. They have advised the LPA to rely on the SFRA for the consideration of future flood risk zones.

According to the Arun District Council's recently updated SFRA (2026), the site is not at risk of flooding from rivers or sea now or in the future when accounting for climate change. The site therefore is, and will remain, within Flood Zone 1 for the lifetime of the development.

The site is not at risk of surface water flooding, and while the site has been identified as potentially being susceptible to groundwater flood risk within the SFRA (2026), there are no historic groundwater flooding records at the site and there are no basements on site. The risk of groundwater flooding at the surface or above that would impact the development on site is low.

The proposal involves the change of use of a ground-floor less-vulnerable use to a more-vulnerable use in the form of three residential flats, and the addition of a first-floor extension. Given the site lies in Flood Zone 1, that groundwater flooding is unlikely, and that there is unlikely to be any other sites at lower risk of groundwater flooding within Littlehampton, the Local Planning Authority do not consider that there is a need for a Sequential Test.

The proposal is in accordance with ALP policy W DM2.

ENERGY EFFICIENCY

ALP policy ECC SP2 requires all new residential and commercial development to be energy-efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low carbon energy supply systems such as solar panels or air source heat pumps. The inclusion of energy efficient materials would be controlled at the Building Regulations stage.

The proposal includes the provision of solar panels, but to ensure that adequate decentralised, renewable, and low carbon energy supply systems are provided, a condition could have been attached to secure their provision.

The proposal is in accordance with relevant Development Plan ALP policy ECC SP2.

WASTE MANAGEMENT

The proposal has not identified any waste storage facilities, but details of these could be secured by way of condition. It is highly likely these would be located in the rear of the site, and kerbside collection would be achievable in accordance with ALP policy WM DM1.

SUMMARY

Despite the significant weight afforded to the reuse and redevelopment of this brownfield site for homes during this period of acute housing need, the proposal would result in significant and unacceptable harms to the living conditions of its occupiers and neighbours, substantial harms to the visual amenity and character of the area, and unacceptable harms to a Designated Heritage Asset which constitutes a

strong reason for refusal within the meaning of Paragraph 11d(i) of the NPPF. Therefore, for the reasons outlined in this report, the proposal is recommended for refusal.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 The extension, by virtue of its scale, massing, design, and materials, is not subservient to, visually integrated with, or sympathetic to, the character of the existing building, and would result in an overly dominant, unsympathetic form of development that would detract from the character and visual amenities of the area in conflict with Arun Local Plan policies D SP1, D DM1, and D DM4.
- 2 The proposal, by virtue of its scale, massing, design, and materials, fails to respond to the character and significance of the existing building, and would result in an overly dominant, unsympathetic form of development that would detract from the special character of the Littlehampton Seafront Conservation Area, resulting in less than substantial harm to a designated heritage asset for which clear and convincing justification is absent and which is not outweighed by the public benefits of the scheme in conflict with Arun Local Plan policies HER SP1, HER DM2, HER DM3, Littlehampton Neighbourhood Plan Policy 17, and NPPF Paragraphs 213 and 215.
- 3 The proposal would have a significantly adverse and unacceptable impact on the residential amenity of No. 23 Western Road by way of overbearing, and would result in an unacceptable inter-overlooking relationship between the proposal and No. 25 Western Road (first-floor) in conflict with Arun Local Plan policies D DM1, D DM4, and QE SP1.
- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local

Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.