

Recommendation Report for Planning Permission

REF NO: LU/35/22/PL

LOCATION: The Nelson Hotel
61 Pier Road
Littlehampton
BN17 5LP

PROPOSAL: Alterations to elevations, rear extension and replacement of existing various roofs with new flat roof at second floor to provide refurbished and extended bar, restaurant, function room and guest accommodation. This application is in CIL Zone 4 and is not CIL liable as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to refurbishment of the existing Nelson Hotel and extension and alteration to the building to provide 8 no. additional en-suite guest rooms, an extended bar and restaurant and function room. The building would alter from a pitched roof 2 storey property to a flat roofed 3 storey property. A rear and side extension will extend the existing first floor accommodation in order that it can now provide two disabled accessible rooms. Six further bedrooms on this floor will be upgraded and refurbished including the provision of en-suite facilities to each room. One new guest room will be added in the new extension on this floor. A total of seven new guest rooms will be formed on the new second floor including one laid out for wheelchair access. All rooms have en-suite facilities. A new glass balcony to the second floor is provided and to room 3 on the first floor. Rooms 2, 5 and 6 will have glazed doors to a balcony instead of the existing box bays.
SITE AREA	292 m2
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	2m high walling to rear. Premises is located on front site boundary.
SITE CHARACTERISTICS	The application site comprises a 2 storey business premises with brick and painted rendered elevations and a plain tile roof, currently used as a Drinking Establishment/Hotel. No parking is currently provided within the curtilage of the building with on-street parking situated to the front and side of the building and public car parks in close proximity. To the east is a private alley forming part of 95 South Terrace which is a three-storey property divided into self-contained flats forming part of a

terrace of four buildings going east to the corner of Bayford Road.

CHARACTER OF LOCALITY

The area is on the outskirts of the town centre with mixed uses in close proximity, the character of the locality is predominantly commercial with some residential.

RELEVANT SITE HISTORY

LU/324/18/PL	Demolition of existing hotel & replacement with new 14 bedroom hotel with ancillary restaurant & function rooms.	ApproveConditionally 13-06-19
LU/84/17/PL	Alterations to elevations, rear extension and replacement of existing various roofs with new flat roof and second floor to provide extended bar, restaurant, function room and guest accommodation	ApproveConditionally 24-05-17
LU/280/16/PL	Alterations to elevations, rear extension and replacement of existing various roofs with new flat roof & addition of 2nd floor to provide refurbished and extended bar, restaurant, function room & 8No. additional guest rooms.	Refused 01-12-16

Application LU/84/17/PL amended LU/280/16/PL which was for a similar scale of development, but the design was amended to reduce the extent of the top floor by setting it in from the front and side elevation. The extension to the rear was also set in further from the northern boundary. This proposal design is exactly the same as the previously approved scheme LU/84/17/PL.

LU/324/18/PL amended the earlier approval by increasing the footprint of the building and adding a further 6 bedrooms to the scheme previously approved.

REPRESENTATIONS

Littlehampton Town Council - Support.

Conservation Area Advisory Panel - Comment.

- The current application includes an appropriate three storey height for this location.
- The existing building is to be adapted, with a new roof structure and new fenestration. The latter could have more appropriate and better proportioned glazing patterns but still retaining a vertical emphasis.
- Not convinced that the scheme is of an appropriate design quality for such a prominent site located in the foreground of attractive seafront and harbour views, and also not forgetting the heritage context.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comments made are addressed in the conclusions section of the report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Economic Development - Support.

- This as a significant addition to visitor accommodation in Littlehampton, with proposed function room and restaurant / bar, particularly in such a high profile position.

- Pleased to see inclusion of 'Wheelchair Accessible' bedrooms and facilities with improved access to all the public areas of the property.

Environment Agency - No Objection.

Condition requested.

Drainage Engineer - No Objection.

Conservation Officer - Objection.

- Not fully convinced that the scheme is of an appropriate design quality for such a prominent site located in the foreground of attractive seafront and harbour views, and also not forgetting the heritage context.

- The proposal will detract from the established character of the area as well as the setting of the adjoining attractive terrace.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

The Conservation officer has objected, but the design is exactly the same as the previously approved scheme LU/84/17/PL and there would be insufficient justification to refuse the proposal when there has been no change in the site context or policy since that time.

POLICY CONTEXT

Designation applicable to site:

Class C road

Area of Character

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
HERDM3	HER DM3 Conservation Areas
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM4	HER DM4 Areas of Character
HERSP1	HER SP1 The Historic Environment

[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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

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.

The relevant policies in Littlehampton Neighbourhood Plan have been taken into account and are referred to in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site lies in an urban area where the principle of development is considered acceptable. Given the location of The Nelson Hotel and its current state of repair, the principle of modernisation and extension would be acceptable. Policy SD SP2 of Arun Local Plan seeks to focus new development within the built up area boundary as do policies 1 and 2 of Littlehampton Neighbourhood Plan and the proposal would be compliant with these policies.

VISUAL AMENITY AND CHARACTER OF THE AREA

The site of The Nelson Hotel has been occupied with a public house / hotel of some sort for over one hundred and seventy-five years. It occupies a prominent corner site adjacent to the river at the junction of South Terrace and Pier Road with views of the river and across the Oyster pond. The structure currently located on the site was shaped by work carried out in the 1970s when the building was partially rendered with flat roof additions. This work along with upvc double glazing has drastically changed the character and appearance of the original building.

Planning Policies and Central Government Advice support the efficient and effective use of land. Policy D DM1 requires new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. The financial viability model commissioned by the applicant requires the level of accommodation proposed to justify the large investment in the new build scheme. This site is located within an Area of Character and accordingly policy HER DM4 of Arun Local Plan requires development to have a positive impact on the special character of the area. The area is characterised by a traditional form of older style pitched roof properties with mainly brick and rendered elevations of 2 and 3 storey height. Many of the neighbouring buildings have been identified as Buildings of Character.

The existing property is lower in scale than the adjacent period terrace properties in South Terrace, which have accommodation on three floors plus a basement plus a pitch roof. The proposal alters the existing roof construction and adds accommodation to the second floor. Due to the contemporary design this can be achieved with only a relatively modest increase in scale above the existing property and to a scale that will be in keeping with adjacent properties and its setting. The existing building whilst not being identical to neighbouring units is not prominent or obtrusive and blends into the neighbouring historic setting in terms of its form and use of materials.

The development proposed would contrast with the adjoining development but would not result in material harm to the visual amenities of the locality. The design does not replicate any existing built form but the roof area is set back from the site frontage and sides which reduces its prominence in the street scene. It would not extend 3 storey built form across the whole width of the site frontage and includes a gap to ensure it no longer dwarfs the adjacent building (no 60) to the North and provides a satisfactory visual relationship between the two buildings in Pier Road. Whilst the scale of the property is slightly increased the new contemporary design provides a more cohesive design of elevations with a sleek modern roof line and balanced elevations incorporating a more modern style of glazing to the windows with new framings. The second floor has been set back by one metre on the west, south and east.

The design of the unit has derived from the desire to utilise the corner plot site to maximise views of the river and sea. These views are a very important feature for the restaurant and hotel. The enlarged restaurant window is vital not only to the external appearance of the building but also to the viability of the improved restaurant area. The applicants are very keen to promote the new restaurant as an all year round stand alone venture from the hotel accommodation.

The adjacent building of 92-95 South Terrace is a large three storey Edwardian terrace similar to a four

storey building at 83-89 South Terrace. These buildings are designated as Buildings and Structures of Character as defined in policy HER DM2 of Arun Local Plan and Policy 17 of the Littlehampton Neighbourhood Plan and they dominate this Area of Character. The proposed building design would be of similar height to these adjacent buildings.

The existing building is very plain with light grey render and white upvc windows to the road elevations and brickwork to the rear, with plain concrete roof tiles. Adjacent properties are either brickwork or a mixture of white render or cladding. The adjacent riverside walk has introduced a lighter contemporary feel to this area of Littlehampton with dark grey painted handrails with stainless steel cable infill, yellow brick paving, large timber and concrete seating and modern signage.

The proposed building follows this more modern approach with grey windows, white render walls to ground and first floor and grey cladding as existing to the second floor to reflect the waterside location.

The building lines to Pier Road and South Terrace are very similar to the existing building and the balconies add interest and depth. The seafront area of the Town has varying architectural styles reflecting its development over the years and modern architecture such as the East Beach Restaurant and Leisure Centre are helping to regenerate the town. The proposal would add to this introduction of contrasting architecture and would complement its surroundings.

For the reasons set out above it is considered that the position, scale, materials and design of the proposed replacement building would enhance the appearance of the area and the proposal would accord with policies D DM1, D SP1, HER DM2 and HER DM4 of the Local Plan.

RESIDENTIAL AMENITY

Arun Local Plan Policy D DM1 indicates planning permission will only be granted for schemes which have minimal impact on adjoining occupiers of nearby property. The proposal does not result in any materially adverse overbearing impact on the adjacent property no. 60. An acceptable space to the boundary with the neighbour is provided and is as approved under LU/84/17/PL. There are 2 additional windows in the north elevation at first and second floor level and these are conditioned to be obscure glazed to prevent adverse overlooking.

The existing use as a pub and hotel operates within the existing license and it is not proposed to increase these hours. The use of the building is the same as the existing and should not significantly increase noise to neighbouring properties. The balcony areas serve bedrooms and are not associated with the bar or restaurant uses. Whilst the number of guests would potentially increase, together with the range of facilities offered it is not considered that the increase in activity would be significant or unreasonable given the existing permitted use of the premises and its location the proposal would be compliant with policy D DM1 of Arun Local Plan.

TOURISM AND EMPLOYMENT

The owners decided to close the business in July 2017, after the granting of the previous planning permission for extensions LU/84/17/PL, in order to prepare for the building works. It is regrettable that in the intervening period the external condition of the existing building is deteriorating and having an adverse effect on the area, but spending any money on maintenance would now be wasteful as the premises requires a complete refit and in its current condition the building is unusable. It is not currently generating an income for the owners, but is costing them to keep it empty. In terms of the local economy this is not what small local businesses can withstand in the short term or the area.

Expansion of tourist accommodation is acceptable in accordance with policy TOU DM1 of the Local Plan which supports expansion of tourist accommodation provided they are in accessible locations and

achieve good design.

Given that the hotel has been closed for a number of years the proposals will provide 12 new job opportunities which is likely to be local due to the flexibility required within the hospitality industry. Policy EMP SP1 Strategic Economic Growth supports job creation. The seafront regeneration proposals that are in their early stages would be enhanced by an updated and extended modern hotel and restaurant which would join the east bank river with this area starting at the Oyster pond. The Littlehampton Economic Growth Area also promotes provision of additional or enhanced commercial and leisure activities, including small scale retail, hotel and restaurant uses. The separate restaurant would provide for both locals and holiday makers who come to enjoy Littlehampton.

HIGHWAYS

The site is located on the seafront within walking distance of local amenities. County Highways have raised no highway objection. The site is sustainably located and the proposal would not significantly increase the amount of traffic generated by the use of the site. It is not considered that the proposal would have 'severe' impact on the operation of the highway network and therefore is not contrary to the National Planning Policy Framework (para 32), and there are no highway grounds to resist the proposal.

FLOODING

The application is supported by a Flood Risk Assessment and contains additional correspondence requested in a previous application and is now acceptable in terms of flood risk. Environment Agency have no objection provided the development is constructed in accordance with the FRA. All bedrooms are located at first and second floor level. The proposals comply with the National Planning Policy Framework (NPPF) and policy W DM2 of Arun Local Plan.

CONCLUSION

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

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) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval 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

APPROVE CONDITIONALLY

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
 15219/01a Existing basement;
 15219/01b Existing ground floor;
 15219/01c Existing first floor;
 15219/01d Existing roof plan;
 15219/01e Existing elevations;
 15219/01LB Location & Block;
 15219/02a Proposed basement;
 15219/02b Proposed ground floor;
 15219/02c Proposed first floor;
 15219/02d Proposed second floor;
 15219/02e Proposed roof plan;
 15219/02f Proposed elevations;
 15219/06a Existing and Proposed street scenes;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 The bedroom windows on the north elevation at first and second floor level shall at all times be glazed with obscure glass and be non opening above 1.7m above internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policy D DM1 of the Arun Local Plan.

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed building and rear stairwell structure have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 5 The development shall be carried out in accordance with the submitted flood risk assessment (ref: Flood Risk Assessment 6654- The Nelson, Pier Road, Littlehampton, West Sussex, BN17 5LP, Jan 2022) and the following mitigation measures it details:
 - all sleeping accommodation shall be on the first floor and above

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy WDM2 of Arun Local Plan.

- 6 Works of construction shall be restricted to 07:00 to 18:00 Monday to Friday; 8:00 to 13:00 hours on any Saturday; no working on any Sunday, Public or Bank Holiday.

Reason: In order to safeguard the amenity in accordance with policy DDM1 of the Arun Local Plan.

- 7 Prior to use of the premises full details of plant to be installed to mitigate cooking odour with full reference the DEFRA Guidance 2018 On the Control of Odour and Noise from Commercial Kitchen Exhaust Systems shall be submitted to and approved by the Local Planning Authority. Such a report shall demonstrate the way in which residential units bordering this site, will not be adversely affected by this proposal. Any mitigation measures which may prove necessary are to be specified, together with plans for long term maintenance of abatement equipment. Any works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and retained thereafter.

Reason: To ensure that the use does not result in excessive cooking odours outside the premises and that the amenity of occupiers of nearby properties is protected in accordance with Arun Local Plan policy QE SP1.

- 8 External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E3 -Suburb 3

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

- 9 Deliveries shall be limited to between 08:00 to 18:00 Monday to Friday; 8:00 to 13:00 hours on any Saturday; with no deliveries on any Sunday, Public or Bank Holiday.

Reason: To safeguard the amenities of neighbouring properties in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 10 INFORMATIVE: The provision of Sanitary accommodation shall comply with Arun District Council Scale of Provision of Sanitary Appliances.

- 11 INFORMATIVE: The drainage serving kitchens at commercial hot food businesses shall be fitted with a grease trap/separator of a proportionate capacity to effectively contain grease residue arising from the estimated numbers of hot meals served and waste water flow rate. The applicant shall provide the Local Planning Authority with details of their proposed grease trap/separator in order to demonstrate design and installation will be in compliance with BS EN 1825-1:2004, & BS EN 1825-2:2004

- 12 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.