

PLANNING SUPPORT STATEMENT

IN RELATION TO:

‘Conversion of former Public House building & erection of a new two storey block to provide a total of 9 No. residential units with associated parking (Re-submission of planning application reference: LU/117/17/PL)’

**2-13 Duke Street, Littlehampton,
West Sussex, BN17 6EU
(Formerly 'The Tap & Barrel' Public House)**

October 2017



1. INTRODUCTION

- 1.1 This proposal seeks planning permission for the conversion of a former Public House building and the erection of a new two storey block to provide a total of 9 No. residential units with associated parking.
- 1.2 The application is a re-submission of a previously withdrawn planning application reference: LU/117/17/PL, which related to the *'demolition of existing building & erection of a new building to provide 10 No. new flats, comprising 9 No. two bed flats & 1 No. one bed flat'*.
- 1.3 This revised scheme has been formulated in direct response to the comments received in respect of the previous planning application.
- 1.4 This Planning Statement is submitted in support of the above planning application. The statement describes the site, its surroundings and the proposal itself. The Planning Policy background is considered along with an assessment of the proposal in light of the relevant policy and all other material planning considerations.

2. SITE CONTEXT

- 2.1 The site, which is subject to this planning application comprises of a two-storey building, consisting of flint walling with brick quoins. The property has a pan tiled roof and an outside conservatory area.
- 2.2 The application site has an area measuring approximately 602 sqm / 0.06 hectares. The site is sustainably located, positioned within a central town centre location, within easy reach of a host of services and facilities in the main Littlehampton Town Centre.



Fig 1. Aerial view of the site and its surroundings (*courtesy of Promap*)

- 2.3 The building was previously in use as a Public House, known as 'The Tap and Barrel' bar (Use Class A4). We understand that the pub had to close its doors after



approximately a year due to the business failing. Consequently, the building is now vacant, and this has been the case for in excess of 1 year. Prior to the public house use being established the building was in an A1/retail use, which we understand the most recent use being previously as a garden centre and locksmith, although prior to the change of use to a public house the building had again been vacant. Historically the existing building was used as 7 No. terraced dwellings.



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3. THE PROPOSAL

- 3.1 This revised application seeks planning permission for the conversion of a former Public House building, plus the addition of a new two-storey block adjacent to the former pub, so as to provide a total of 9 No. residential units with associated parking.

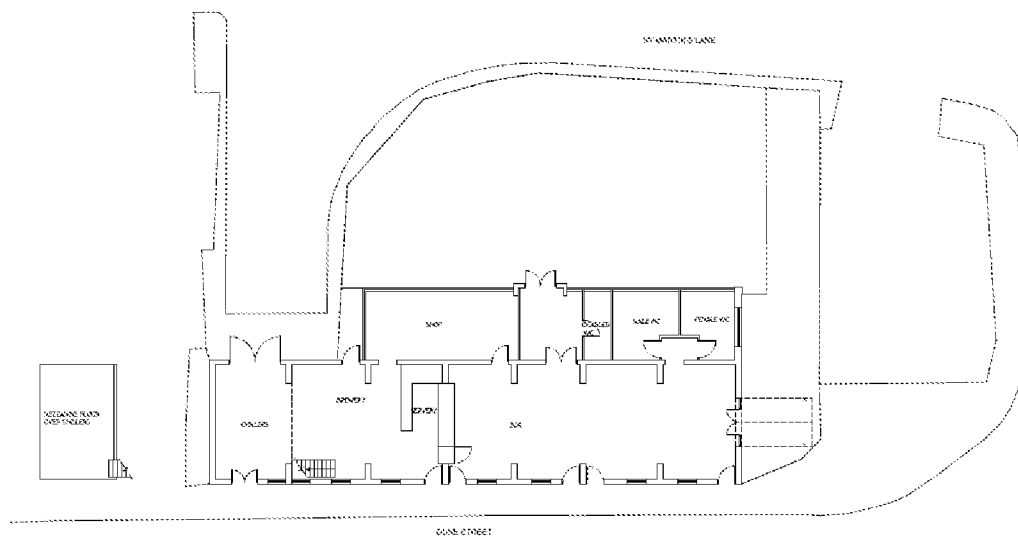


Fig 2. Existing ground floor site layout

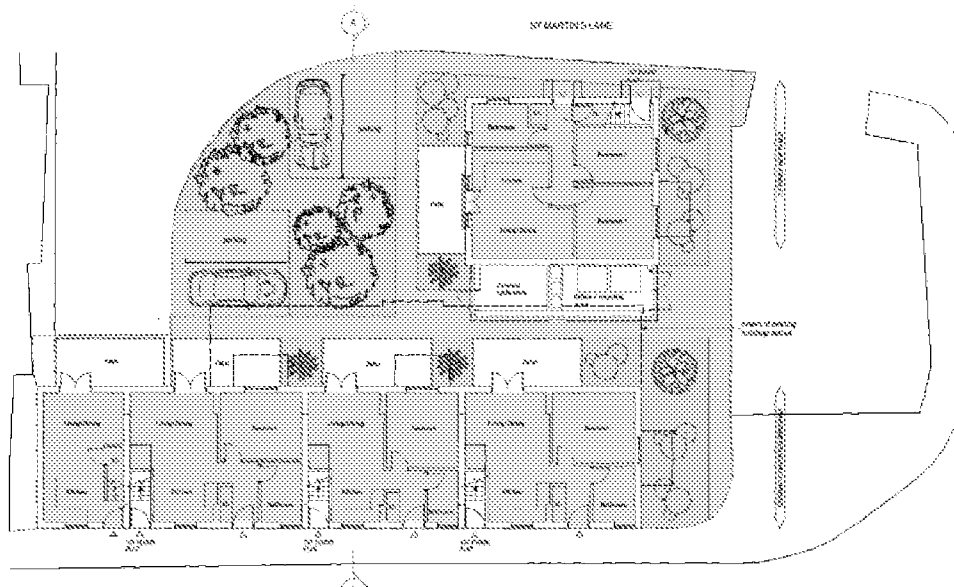


Fig 3. Proposed ground floor site layout

3.2 The proposal would comprise the following schedule of accommodation:-

Type of Accommodation	Gross Internal Floor Area (sqm)	No. of Flats
1 Bedroom Flat	42 -48	6
1 Bedroom Maisonette	45	1
2 Bedroom Flat	61	2
Total:	441	9

3.3 The existing building will be converted into 6 No. one bedroom flats and 1 No. one bedroom maisonette. Each of the units would have one-person occupancy.

3.4 The one-bedroom flats would each comprise 1 No. bedroom, a bathroom and an open plan living/ dining and kitchen area. The maisonette would have living/ dining and kitchen area at ground floor level, with 1 No. bedroom and a bathroom above.

3.5 External conversion works to the existing building would be carried out in a sensitive manner. These would include the introduction of conservation style roof lights and leaded dormers, replacement timber doors and windows and the addition of timber balconies to the north and south elevations. These works are detailed in full on the submitted proposed drawings.

3.6 The new building would comprise 2 No. two bedroom flats, one at ground floor level and the another above. Both of these units would have three-person occupancy. These units would comprise 2 No. bedrooms, a bathroom, open plan living/ dining area and kitchen area.

- 3.7 The new building that is proposed would be of a two storey design, with a barn hipped roof. The building would comprise face brickwork, with sections of matching flint work. It would have a slate roof, with clay ridges and hips. The proposed dormer would have slate hung cheeks.
- 3.8 Each flat would be provided with its own private amenity space in the form of 1 No. patio/balcony area. Further, a landscaped communal 'courtyard' area would be provided on site.
- 3.9 With regard to parking provision and as detailed on **Fig 3** above, a total of 4 No. off-street bays will be provided on site. In addition, covered, secure cycle parking will be provided.
- 3.10 Finally, communal refuse/recycling storage to be provided on site (commercial refuse bins equivalent to 240 litres/flat).



4. POLICY CONTEXT

a) THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 4.1 The National Planning Policy Framework (NPPF) was published on 27th March 2012, and is the most-up-to date Government planning policy document.
- 4.2 The focus of the NPPF is achieving sustainable development, the definition of which is summarised in paragraph 6 as being the whole of paragraph's 18-219 of the Framework. Paragraph 7 goes further as it specifies that there are three dimensions to sustainable development: economic, social and environmental. Under the social role it states that the planning system should provide *"the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment..."*
- 4.3 Under paragraph 11, the NPPF confirms that planning law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan.
- 4.4 Paragraph 14 is an important element of the NPPF. It states that: *"at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*. It details that objectively assessed needs, such as housing, have to be met unless *"any adverse impact of doing so would significantly and demonstrably outweigh the benefits"*. This is assessed against all the policies of the NPPF, as a whole, or specific policies relating to SSSI, Green Belt, Local Green Space, AONB, Heritage Coast, National Park, designated heritage assets, flood risk locations and coastal erosion. It also states that decision makers should be

“approving development proposals that accord with the development plan without delay”.

- 4.5 The NPPF advises that a set of 12 core land-use planning principles should underpin both plan-making and decision-taking, and these principles are listed under paragraph 17. Although the NPPF omits the wording that was present in the draft which referred to the default position of “yes” to applications for sustainable development, it does retain the significant change that requires a response to market signals. Each of the bullet points are important, but of particular note is no. 3 where it details that planning should *“proactively drive and support sustainable economic development to deliver the homes... that the country needs”*, No. 4 notes the importance of high quality design and No. 5, details that account should be had of the character of different areas. Finally, no. 11 requires development to be focused *“in locations which are or can be sustainable.”*
- 4.6 Section 4 is entitled ‘Promoting Sustainable Transport’. Under paragraph 28 it advises that different policies and measures are required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. This section also highlights the importance of LPA’s and/or developers working with transport providers, and also that Travel Plans are key documents. With reference to car parking, paragraph 39, states that if a LPA provides local parking standards, account should be had of *“the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles”*.
- 4.7 Section 6 of the NPPF is entitled ‘Delivering a wide choice of high quality homes’. It seeks to *“boost, significantly”* the supply of housing, whilst placing more reliance on windfall sites as a source of housing supply. Realistic historic windfall delivery rates and expected future trends are legitimate sources of supply. Paragraph 49



states *"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*.

- 4.8 Section 7 discusses the need for good design. Under paragraph 58 the NPPF provides what appears to be a clearer and more robust approach to design than in PPS1 paragraph 33 – 39.
- 4.9 The NPPF wishes to avoid unnecessary prescription or detail (paragraph 59), whilst the key criteria of scale, density, massing, height, landscape, layout, materials, access, relationship to neighbouring buildings and relation to the local area more generally remain. Paragraph 58 expands on this by stating that developments should: *"function well and add to the overall quality of the area... establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit... optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping"*.
- 4.10 The crucial caveat of PPS1 paragraph 35 remains within the NPPF. That is that good design goes far beyond aesthetic considerations, with paragraph 61 specifically referring to *"integration of new development into the natural and historic environment"*.

b. LOCAL PLANNING POLICY CONTEXT

(i) Arun District Local Plan (2003)

- 4.11 This document continues to be the most relevant local planning policy document.
- 4.12 The site is within the defined built-up area boundary for Littlehampton. The site is also classified as being within the 'Principle Shopping Area', but is outside the 'Primary Retail Frontage' Policy Area.

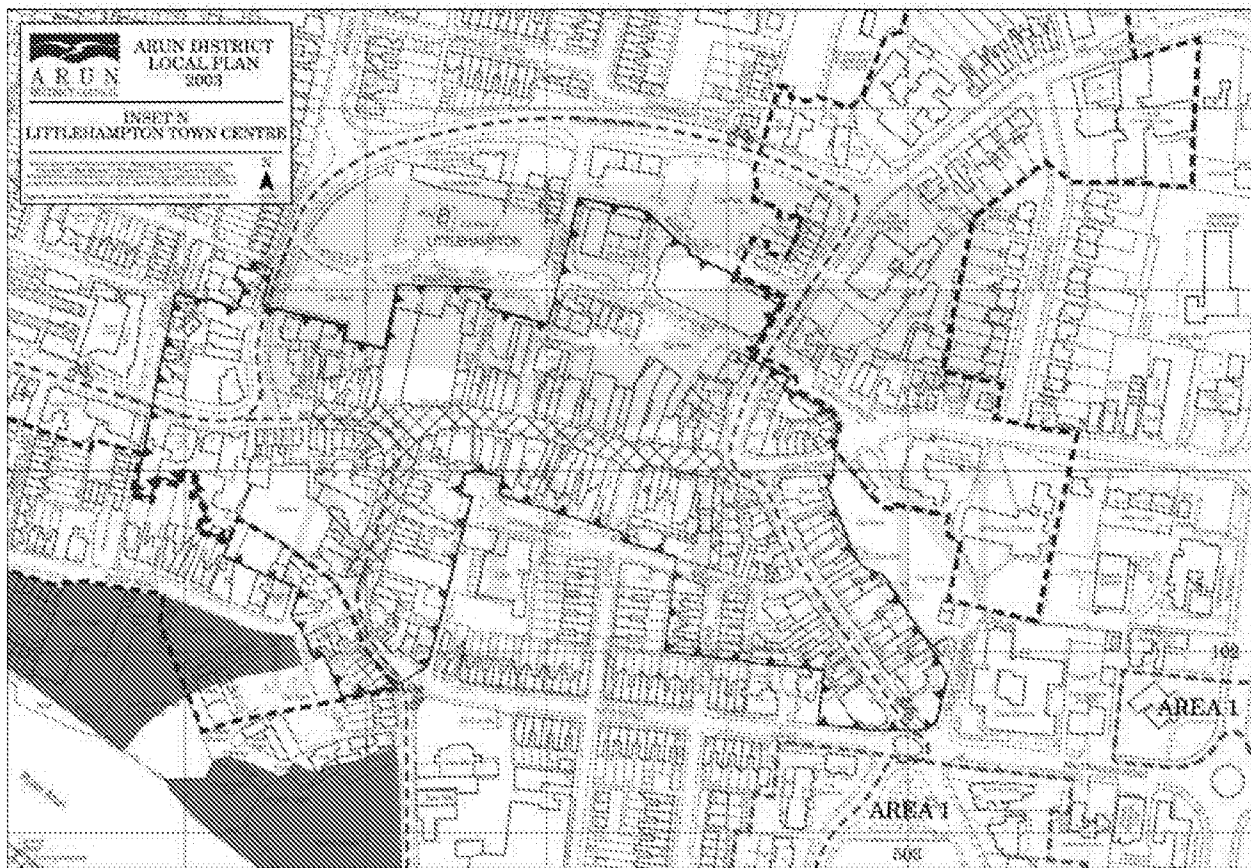
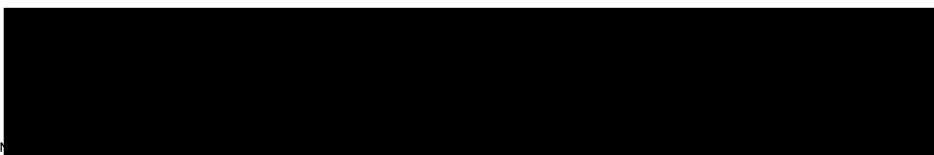


Fig 4. Extract from Arun District Local Plan (Inset N: Littlehampton Town Centre)

- 4.13 Saved **Policy GEN2** relates to the Built-up Area Boundary, where the development or redevelopment will be permitted, subject to other policies in the plan.



- 4.14 Saved **Policy GEN7** is a general policy that relates to The Form of New Development and states that *"planning permission will only be granted for schemes displaying high quality design and layout"*. Developments are considered in relation to a number of criteria.
- 4.15 Saved **Policy GEN8** relates to the Development and provision of infrastructure and notes that *"development will not be permitted unless the infrastructure or facilities made necessary by the development are available or will be provided at the appropriate time"*.
- 4.16 Saved **Policy GEN20** relates specifically to the provision of open space within new development.
- 4.17 Saved **Policy GEN9** relates to Foul and Surface Water Drainage, whilst saved **Policy GEN12** relates to Parking in new development.
- 4.18 Saved **Policy GEN20** relates to the Provision of Public Open Space within New Development.
- 4.19 Finally, it is noted that **Policy AREA 19** relates to Primary Shopping Frontages. The application site lies outside of this area, but does lie within a wider Principal Shopping Area. The explanatory text of this policy states that *"in each Principal Shopping Area it is clear that different sections of these areas serve a different function. The primary shopping frontages are of most significance in respect of retail uses, whilst other areas serve a complementary function by adding to the services and facilities provided by the shopping centre. Principal Shopping Areas are identified on the Proposals Map for Bognor Regis, Littlehampton and Rustington."*

(ii) Supplementary Planning Guidance

4.20 The following Supplementary Planning Guidance is considered of relevance to this proposal:-

- Open Space & Recreation Standards - October 2000
- Parking Standards - October 2000

(iii) Emerging Local Plan

4.21 The Arun District Local Plan 2011-2031 was submitted on 30th January 2015 for independent examination to the Secretary of State for Communities and Local Government via the Planning Inspectorate. The Local Plan sets out a vision for the future of Arun District up to 2031. The Local Plan Examination-in-Public was formally suspended by the Planning Inspector in February 2016 following a Procedural Meeting and initial Hearing sessions. The suspension was granted to enable the Council to undertake further work and produce proposed modifications to the Local Plan in response to a range of observations and concerns identified by the Planning Inspector.

4.22 More recently the Council consulted on proposed modifications to the Plan prior to the Local Plan undergoing further examination in public by a new Inspector. The modifications proposed constitute both 'minor' grammatical, and non-material changes to the Plan, and 'main' substantive material changes to the contents of the Plan. A number of new evidence base studies have been produced and these studies have been produced to inform and support the proposed modifications to the Local Plan. It appears that the most significant modifications required to the Plan relate to the need for a substantial uplift to the housing requirements for the District. The latest evidence produced by GL Hearn (applying the approach endorsed by the Inspector through existing Hearings and interim conclusions)

utilising the 2014 Sub-National Population Projections and associated Housing Projections indicates that OAHN equates to 919 dwellings per annum, or 18,380 dwellings over the Plan period 2011 – 2031. This is significantly higher than the OAHN in the Submitted Local Plan (580 dwellings per annum) or the OAHN figure recommended by the Local Plan Inspector (845 dwellings per annum) in February 2016 following the OAHN Hearing.

4.23 The Council has proposed substantive modifications to chapter 12 of the Local Plan ‘Housing Delivery’ to reflect ‘testing’ of spatial options, Sustainability Appraisal, other evidence, and the substantial increase in OAHN for the District. These changes can be summarised as follows:

- Chapter largely re-written;
- Updated references;
- New policies HSP1 and HSP2;
- New policies HSP3 - HSP5 relating to site allocations;
- Revised affordable housing mix HSP2.

Through the proposed modifications, Arun District Council is planning to meet an updated housing requirement. The proposed modifications to the Local Plan respond to the latest evidence, which indicates an OAHN equating to 919 dwellings per annum.

4.24 The subsequent hearing sessions into the examination of the Arun Local Plan ended on 28th September 2017. The Inspector will now consider what he heard at the hearings alongside the representations and other evidence. He will in due course write to the LPA setting out any significant issues arising from the hearings and examination so far. In parallel, and without prejudice to his findings on the soundness of the Local Plan, he has asked the LPA to prepare a composite Schedule of Proposed Main Modifications for him to consider in due course.

4.25 Given that the Inspectors final report, which will contain his findings on the soundness of the Local Plan are awaited, we consider that only limited weight can be attributed to this emerging Local Plan at this time.

4.26 Notwithstanding the above, the following policies of the emerging Arun Local Plan are considered relevant to this revised application:

- **Policy D DM1** relates to Aspects of form and design quality. This policy notes that when considering any application for development the Council will have regard to a number of aspects.
- **Policy T SPI** relates to Transport and Development. This policy states that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

(vi) Neighbourhood Plan

4.27 It is understood that the Littlehampton Neighbourhood Plan was 'made' in November 2014. The following policies are considered of relevance to this revised planning application:-

- **Policy 1:** The Presumption in Favour of Sustainable Development.
- **Policy 2:** A Spatial Plan for the Town. This policy notes that future housing; economic and community-related development will be concentrated within the built up area boundary of Littlehampton.



- **Policy 3: Housing Supply.** This policy notes that *"the Neighbourhood Plan provides for the development of at least 200 homes in the period 1 April 2014 to 31 December 2029, above the existing commitments, which will include a requirement to provide affordable housing units in line with Arun District Council's affordable housing policy. These will be built on allocated sites and windfall sites"*.
- **Policy 6: Residential development involving the loss of community facilities.** This policy states that *"there will be a presumption against residential development that involves the loss of existing community facilities unless satisfactory proposals for the relocation of those community facilities have been implemented"*.

5. PLANNING ASSESSMENT

a. Planning History & Pre-Application Advice

(i) Application Site

5.1 According to the Councils online planning register, the site has the following planning history:-

- **Planning ref: LU/117/17/PL/:** Demolition of existing building and erection of a new building to provide 10 no. new flats, comprising 9 no. two bed flats and 1 no. one bed flat. Withdrawn 21-06-2017.
- **Planning ref: LU/27/16/CLP/:** Certificate of Lawfulness for the proposed use of public bar area to allow for wedding ceremonies within existing A4 drinking establishment. Approved Conditionally 02-03-2016.
- **Planning ref: LU/301/15/DOC/:** Application for approval of matters reserved by condition imposed under LU/165/15/PL relating to condition 5 for a schedule of materials and finishes. DOC Approved.
- **Planning ref: LU/165/15/PL/:** Change of use from A1 shop to A4 Drinking establishment with ancillary shop & micro brewery. Cladding of existing conservatory. Approved Conditionally 26-07-2015.
- **Planning ref: LU/200/95/:** New shop entrance and canopy and additional gate in approved security fence. Approved Conditionally 13-09-1995.
- **Planning ref: LU/60/95/:** New entrance to shop and new perimeter fence and provision of pavement bollards on northern boundary. Approved Conditionally 20-04-1995.
- **Planning ref: LU/475/81/:** Conservatory type extension. Approved Conditionally 26-08-1981.
- **Planning ref: LU/486/77/:** Construction of a service road court to provide rear access to properties in High Street. Approved Conditionally 01-02-1978.
- **Planning ref: LU/453/77/:** Alterations & improvements for retail trading & storage use. Approved Conditionally 11-01-1978.



- **Planning ref:** LU/58/77/: Renewal of outline PP for redevelopment with shop on ground floor. Approved Conditionally 06-04-1977.
- **Planning ref:** Redevelopment with shops on ground floor and shops/ office on first floor and 2 flats on 2nd/3rd floors. Approved Conditionally 29-03-1974.

(ii) Pre-application Advice

- 5.2 The current proposal follows a previous application on the site for *'demolition of existing building and erection of a new building to provide 10 no. new flats, comprising 9 no. two bed flats and 1 no. one bed flat'*. At the time of this application being considered, Officers' advised us that: *"... the proposal needs a complete rethink and should comprise conversion and extension. The existing former cottages in Duke Street should be retained to keep the character of this part of Littlehampton as per the conversion of The Globe opposite. It may be possible to add an extension on the return to St Martins Road, but this should include more of the design elements from the surrounding properties... With regard to the viability it is accepted that this site is in a secondary retail position and if the existing submitted information is bolstered, this element of the proposal is likely to be acceptable"* (Anita Gardner email dated 19th June 2017); and
- 5.3 The Planning Officer continued: *"If you can submit a structural survey to demonstrate that the buildings cannot be converted in situ and that some elements can be retained we would accept demolition and rebuilding on a like for like basis, but would appreciate reuse of some of the original materials where possible. The cottages could include some accommodation in the form of flats, but it would be preferred if the scheme could include a couple of terraced dwellings to reduce the density of the development and overall numbers and outside space/ parking provision. Compliance with national internal space standards and external space standards could be relaxed slightly to retain the existing building footprint, but it would depend on the deficit as to whether the shortfall would be acceptable... We could look at 2 alternative site layouts/elevations following the withdrawal without*

charge and that would allow you to consider the provision of some terraced units and also an alternative development of flats” (Anita Gardner email dated 7th July 2017).

- 5.4 Consequently, the applicants decided to withdraw this application, and sought to re-engage with the Planning Officers in order to agree a design solution prior to resubmitting a revised planning application for this site.
- 5.5 Following pre-application discussions, the following 2 No. schemes were submitted to the Council for consideration:-

Scheme 1: This involved the conversion of the existing building (original shell only) and a new-build extension to the west, providing frontages to both Duke Street and St Martins Road, with a semi private courtyard to the rear. The extension would replicate the scale and massing of the existing terrace, with matching ridge and eaves heights and dormer windows. To the west, the linked, new-build element would initially be inset from the existing building, then returning to the same building line, thus creating a ‘bookend’ effect, with two matching projecting hipped ends.

6 No. self-contained flats are comfortably arranged within the existing building shell, along with a generous sized refuse/recycling and cycle storage. A further 4 No. flats are contained within the extension.

Scheme 2: This option also involves the conversion of the existing building, but with a separate ‘block’ of new accommodation to the west of the site, which allows separation between the converted building and new-build element. Separate enclosures for refuse/recycling and cycle storage are situated within the communal areas.

A slightly different arrangement of self-contained flats within the conversion includes 6 No. 1 bed flats and a 1 bed maisonette. A further 2 No. two bed flats will be contained within the new-build block.

- 5.6 Mrs Gardner confirmed that Scheme 2 would be the Councils preference. Following submission of draft plans, we were advised that this scheme was discussed at the Councils 'significant application internal officer meeting' and was presented by Juan Baeza. Mrs Gardner confirmed via email dated 20th September 2017 that *"without prejudice, I can advise that it received a positive response and is likely to be supported at Officer level if re-submitted in this form"*.

(iii) Adjoining Sites

- 5.7 We are aware that The Globe Inn, Duke Street, Littlehampton, which is located immediately opposite the application site (as detailed at **Fig 5** below shows), has the following planning history that is considered to be of direct relevance to our proposals:

- **Planning ref: LU/265/15/DOC/:** Application for approval of matters reserved by condition imposed under LU/80/15/PL relating to conditions 3,4 & 5 relating to conditions 3,4 & 5 relating to schedule of materials, refuse store & cycle parking. DOC Approved.
- **Planning ref: LU/80/15/PL/:** Change of Use of existing former Public House (A4 Use Class) to form 5 no. residential apartments (C3 Use Class) with associated external & internal alterations. Approved Conditionally.



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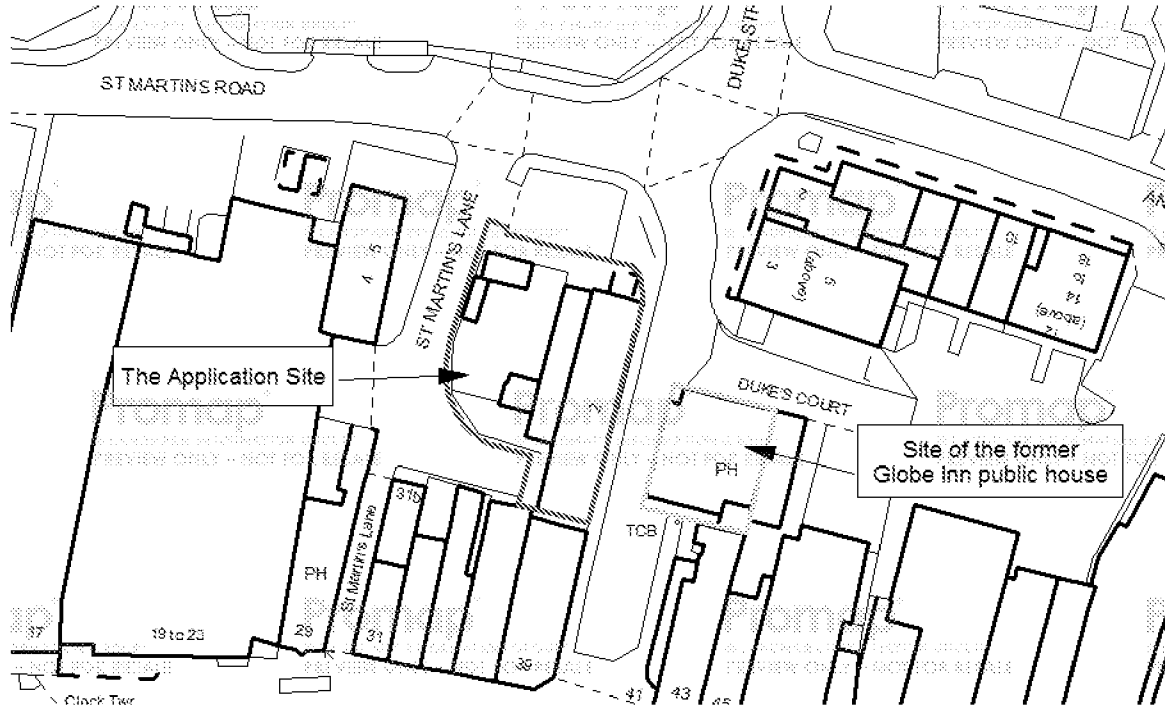


Fig. 5 Plan showing the proximity of the application site to the former Globe Inn PH



RTPI

Chartered Town Planner

6. PLANNING ASSESSMENT

a. Principle of Development

- 6.1 The application site is located within the defined built up area boundary for Littlehampton, where the principle of new development, including change of use, is accepted subject to other policies in the plan.
- 6.2 At the time of a previous pre-application enquiry, the Council reiterated this point, confirming that *"the site is located in an urban area where the principle of development is considered acceptable. Government Planning Policy supports effective and efficient use of land for sites such as this but also advises that new housing is well integrated with and complements neighbouring buildings and local area in terms of scale, density, layout and access... The site is sustainably located being close to the station and bus routes and one of the main pedestrian routes into the town centre... The site lies outside the Primary Retail Frontage Policy Area, but within the Principal Shopping Area. It therefore serves a complementary function by adding to the services and facilities provided by the shopping centre of Littlehampton..."*

b. Five-year housing land supply

- 6.3 It is understood that Arun District Council **cannot** demonstrate a five-year housing land supply for the District at this time, as required by the National Planning Policy Framework. This point has been confirmed by the Council themselves within recent Committee reports, as well as within a large number of Appeal decisions. This evidence can be provided upon request.
- 6.4 The Council also confirmed this point within their previous pre-application response, stating that:
"the Council is unable to demonstrate an adequate 5-year supply of housing land as required by paragraph 49 of the National Planning Policy Framework (NPPF)

and Policy GEN5 of the Local Plan is outdated. Furthermore, the Examination into the emerging Local Plan was suspended by the Planning Inspector on the grounds that the Council's Objectively Assessed Housing Need (OAN) should be reviewed higher than that proposed in the Local Plan (580 units p.a). The Council therefore need to identify adequate land supply to meet the additional housing requirements. The OAN figure has now been increased to 919 units p.a as of October 2016. Additional strategic sites are being assessed and allocated to meet this higher figure... The National Planning Practice Guidance (NPPG) provides clear guidance on the issue of the weight that can be given to both the adopted local plan and emerging or made Neighbourhood Plans where the District Council cannot demonstrate the 5-year supply of deliverable housing sites. Therefore, the adopted development plan policies relating to housing supply are out of date and the emerging Local Plan policies carry limited weight at this time".

- 6.5 It is noted that the Neighbourhood Plan is over 2 years old, and its housing supply policy (Policy 3) was prepared at a time when the District's housing requirements (as set out in the draft Local Plan at that time) were considerably lower than they are now in the current version of the District's draft Plan (as set out above). In any case, NP Policy 3 does not set a cap on housing to be provided in Littlehampton during the Plan period, with the policy requiring "at least 200 homes" during the plan period. In any case, our plans represent a windfall site, and in this respect our proposals are policy compliant, and it will assist in meeting the District and towns considerable housing needs.
- 6.6 It is considered that the net increase of 9 No. units will make a valuable contribution to the Councils current severe housing shortfall. This is a significant material consideration that **weighs heavily in favour of the proposed development**. Development of deliverable and suitable land such as the application site, which lies within the built-up area, will reduce the pressure to release unallocated, Greenfield sites for housing.



c. Retention of the existing building

- 6.7 Following discussions with the Council (see above), the current planning proposals seek to retain the existing main building on the site, with the application scheme now proposing to convert the building so as to create a number of small dwellings, which are suitable for this central location.
- 6.8 This building is not Listed and nor is it located within a Conservation Area. It is noted that the flint/brick outer walls appear to be the only surviving feature from the original building, which dates back to the early-to-mid 1800's. From the original openings in the Duke Street elevation and the partial remains of the inner party walls, it can be assumed that the building was arranged as seven, very small, terraced cottages. As such, the proposal seeks to return the building to its original use.
- 6.9 Additional lean-to 'additions' could have existed to the rear, but these are no longer present and have been replaced with a series of poor quality, lightweight structures, associated with the more recent uses. The first floors have been removed, along with the majority of the party walls and the ground floors have been concreted over. The roof has recently been totally replaced with modern trussed rafters and concrete tiles. The external walls are of solid masonry, faced externally with coursed flint and clay brick quoining. The overall appearance is patchy, due to old repairs. The windows and doors are all poor-quality uPVC.
- 6.10 The only feature of the existing shell that could possibly comply with current standards is the roof, but in order to achieve acceptable headroom at both ground and first floors, the trussed rafters would need to be removed and replaced with new 'raised tie' trusses. We consider that a more appropriate roof covering would be natural slate, which would be a lighter alternative to concrete or clay tiles.

- 6.11 The first-floor windows would need to be raised in height to suit the new first floor, which would necessitate dormers, within the replacement roof.
- 6.12 The existing solid walls would require thermal upgrading internally to meet current regulations. Similarly, the existing floors would need to be levelled and thermally upgraded.
- 6.13 The doors and windows would need to be replaced within the existing openings with more thermally efficient joinery and glazing.
- 6.14 We can confirm that the proposed conversion works will be carried out in an entirely sensitive manner, with materials being re-used where possible. The applicant would be happy for conditions to be imposed regarding the use of materials that would match that existing.

c. Loss of the Commercial/ Public House Use

- 6.15 The application is accompanied by an updated Commercial Viability Report, which has been prepared by Flude Commercial. The report seeks to address the comments made by the Town Council and other parties during the consideration of the previous planning application (which differed from the current scheme in a number of ways, most significantly in that the existing building was to be demolished, whereas now it is to be retained and sympathetically converted).
- 6.16 Flude Commercial's report is extremely robust provides details of the existing condition of the property, the history of the building and its various uses over time, a commentary on commercial uses in Littlehampton and the lack of viability of the public house in more general terms. The report considers other potential commercial uses of the building, and explains why these would not be viable. The report also comments on the need for marketing of the property. In this latter respect, the report states *"We understand that the prevailing use of the property is*

A4 under which the property could be put to A1, A2 and A3 uses under Permitted Development Rights. As commented in detail above, there is a long and well documented history of businesses falling within these use classes occupying the property and ultimately having failed. This history speaks for itself... We are aware that the former Globe Inn, immediately east of the subject property, is another example of a failed pub which was subsequently offered for sale and marketed for a period of around 13 months. We understand from the Viability report submitted as part of the planning application to redevelop this property that no viable commercial occupier interest was forthcoming for the property during this period and the property was eventually sold to a developer... It would, of course, be for the Council to decide whether they wish to seek proof of redundancy via evidence of, and feedback from, a marketing campaign in considering a planning application for redevelopment. We would comment that to impose such a condition on an application to redevelop the property would, perhaps, be overzealous in view of the well documented history with the property, similar examples elsewhere (the Globe Inn). It would, we feel, simply delay the inevitable."

6.17 In conclusion the commercial report that accompanies this application makes the following key points and observations:-

- a. "Ockendens chose to cease retailing from the property in the 1990's due, in part, to deteriorating trading as a result of growing competition from, at that time, out of town retail.*
- b. Since Ockendens ceased retailing from the property it has been through a series of A1 and A4 uses all of which have, ultimately, closed / gone bust / relocated.*
- c. Rent for the property has, at best, remained stagnant for over 20 years.*
- d. The demise of the pub sector in the UK - particularly over the past 10 years - is well known and well documented and there are a number of examples in Littlehampton which reflect the national picture.*

- e. *The struggle of the high street is also well known and well documented with the growth of out of town retail, changing consumer habits and, over the past 10 years in particular, the rapid growth of online retail. The struggle being particularly acute in weaker centres which we would consider Littlehampton to be.*
- f. *The property requires considerable financial investment to bring it back to good repair. The cost of such has to be considered when considering the viability of ongoing commercial use.*
- g. *We are of the strong opinion that demand for the property from other potential commercial uses would be very limited if anything. If there were demand we are of the view that the rents / strength of covenant from such other commercial uses would be sufficient to make a letting to such occupiers financially viable.*

In conclusion we would comment that the unviability of this property for A1 – A5 purposes has been well and truly proved by the experience of Ockendens as a retailer from the property until the mid-1990's and subsequently as a landlord to other A1 – A5 occupiers and their ultimate decision to sell the property in 2016... Given the track record of the property over recent years, together with the well documented struggles of the high street and the pub sector, we can see no prospect for there being a commercially viable future for this property in A1 – A5 use... We therefore strongly recommend that your client considers and pursues alternative uses / redevelopment of the property."

- 6.18 As detailed above, it is also worthy of note that the building was historically used as 7 No. terraced dwellings and as such, this proposal is merely returning the site to its former residential use (Use Class C3).

e. Planning Precedent

- 6.19 It is clear that a planning precedent has been set for this form of change of use in this location, with the approval of a planning application for 'change of Use of existing former Public House (A4 Use Class) to form 5 no. residential apartments

(C3 Use Class) with associated external & internal alterations' (ref: LU/80/15/PL) at The Globe Inn, Duke Street, Littlehampton. This site lies directly opposite the application site, as highlighted at Fig 5 above.

- 6.20 We are aware that the 'made' Littlehampton Neighbourhood Plan introduced **Policy 6** entitled 'Residential development involving the loss of community facilities'. This states that: *"There will be a presumption against residential development that involves the loss of existing community facilities unless satisfactory proposals for the relocation of those community facilities have been implemented"*. We are aware that a Public House is often considered to be a community facility, despite being privately owned.
- 6.21 In dealing with the application to convert the Globe PH into 5 units (ref: LU/80/15/PL), the Councils Planning Officer at that time stated in his report that *"With regard to policy 6, the proposal does result in the loss of the public house as a facility. However, it is quite evident that the premises is not viable in public house use... In addition, there are a considerable number of licensed premises in the locality. It is not therefore considered that this is a case where a requirement to retain or re-provide the public house would be justified."*
- 6.22 The case officer went on to conclude that *the "proposed development is in a highly sustainable location and contributes 5 units of much needed smaller accommodation to the housing supply. The proposal does not give rise to a significant harm to amenity or detriment to the appearance of the premises. The proposal brings back into use vacant premises and is considered to make a positive contribution to the locality. It is therefore recommended that planning permission be granted"*.
- 6.23 It is our view that this nearby proposal sets a clear planning precedent for the loss of an unviable Public House and the redevelopment of the site with residential units in this location. It is noted that paragraph 22 of the NPPF states that *"planning policies should avoid the long term protection of sites allocated for*



employment use where there is no reasonable prospect of a site being used for that purpose". It is also noted that the Arun District Local Plan includes no policy that seeks to retain employment or 'A' use class premises outside of the identified areas. Therefore, the proposals to change the use of the retained existing building and construction of an ancillary block at this site, to create a new, small scale residential use would not conflict with any development plan policy.

- 6.24 Although Policy 6 of the NP seeks to retain 'community uses' it is evident from the details provided by Flude Commercial's report (as summarised above at section 6d) that there is substantial evidence to demonstrate that the existing use is unviable. Further the conclusions of Officers in dealing with the near identical case at The Globe PH are equally applicable to our case – if not more so, given that the Tap & Barrel use was for a very limited period of time before this business failed.

f. Impact on the Character of the Area

- 6.25 The site is within the defined built up area boundary for Littlehampton. The site is also classified as being within the 'Principle Shopping Area', but outside the 'Primary Retail Frontage' Policy Area.
- 6.26 The site is sustainably located, positioned within a central town centre location, within easy reach of a host of services and facilities in the main Littlehampton Town Centre.
- 6.27 This proposal seeks to convert a former Public House building with the addition of a new two storey ancillary block, which would combine to provide a total of 9 no. residential unit, plus associated car parking.
- 6.28 The existing building was previously in use as a Public House (Use Class A4), however due to proving to be unviable in this location; the business closed its doors after only a year. The property is now vacant, and has been for over 12 months. It is noteworthy that prior to the public house opening, the former A1/retail use had also failed and the premises were vacant.

- 6.29 The proposal would involve the retention and conversion of the existing building, together with the addition of a separate block to the west of the building. This scheme allows separation between the converted building and the new build element.
- 6.30 The proposal would represent an appropriate density, which would be wholly suitable for the site and comparable with other flatted forms of development within the surrounding area. When compared with the previous application (**reference: LU/117/17/PL**), the current proposal has made a reduction from 10 No. units previously proposed to 9 No. units. Further, the overall gross internal floor area that is proposed as part of this development, represents a notable reduction from 605 sqm to 441 sqm.
- 6.31 Conversion works to the existing building would be carried out in a sensitive manner. These external works would include the introduction of conservation style roof lights and leaded dormers, replacement timber doors and windows and the addition of timber balconies to the north and south elevations.

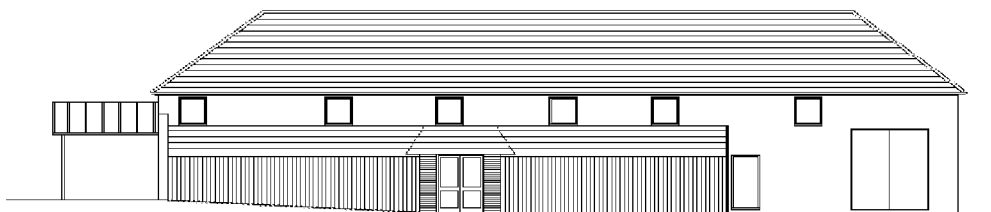


Fig 6. Extract from existing west elevation

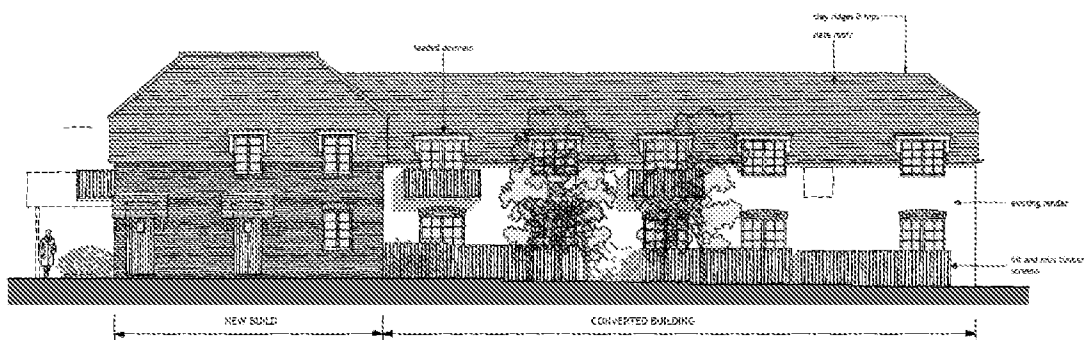


Fig 7. Extract from proposed west elevation

- 6.32 It is our view that the proposed works would allow the retention of the existing building, whilst both bringing it back to its original use and resulting in notable visual improvements. The resultant building would be of a high-quality design and sympathetically relate to both the proposed new build element and existing built form. As viewed from the submitted street scene elevation (**Fig 8**), the proposal would appear as a sympathetic development, which would appear in keeping with existing development along Duke Street.

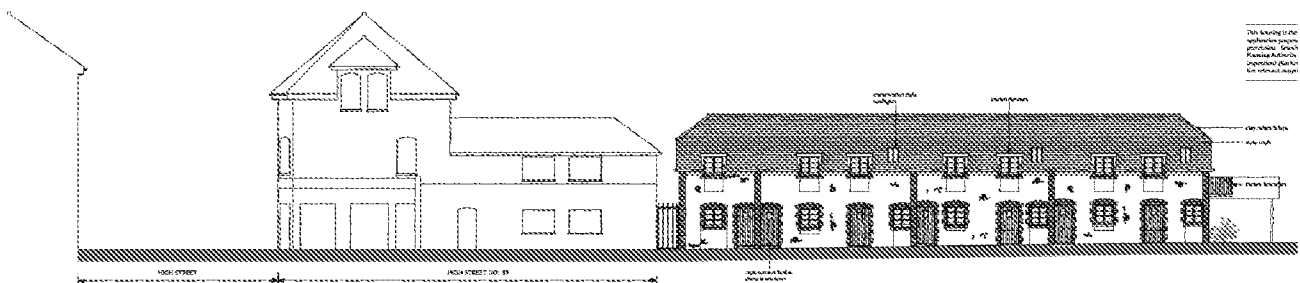
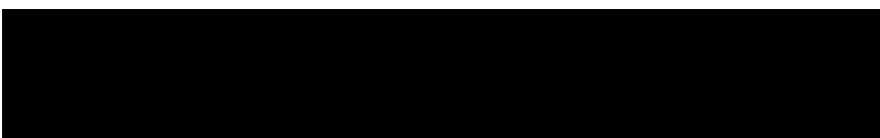


Fig 8. Extract from submitted Street Scene Elevation (East elevation)

- 6.33 Attention has also been paid to the scale, form and design of the proposed building block. The proposed new building would be of a high-quality design. Careful consideration has been paid to designing a building that respects the established and mixed character of the area.
- 6.34 It is clear from the proposed western elevation (**Fig 7**) that the proposed building block will sympathetically relate to the existing building in scale, form, siting and design, whilst also appearing appropriate in the context of the wider streetscene. Indeed, it is evident that the proposed building would be a modest two storeys in height and would respond well to existing and adjacent buildings. It is demonstrated clearly that the proposals would represent a high-quality form of development that would be wholly appropriate for this location. Further the proposed building block would be of a comparable height to many neighbouring properties, and indeed of a lower height than several buildings in close proximity,



including those located on the High Street, which provide a backdrop to the south of the application site.

- 6.35 The proposals suggest a range of appropriate materials for the external finishes of the development. Although these matters would normally be controlled via condition, it is our view that the materials proposed, and the entire development in more general terms, would appear wholly appropriate to the site and make a welcome introduction and regeneration of the area.
- 6.36 To conclude, the proposed development which includes the retention and conversion of the existing building and the addition of a modest sized new building would represent a high-quality development in this location. It would appear entirely in keeping with existing development in this area (which is greatly varied), and it would not detract from the character of the surrounding locality. For these reasons outlined above, it is our view that the proposal is fully compliant with Saved **Policy GEN7** of the Arun District Local Plan.

g. Residential Amenity

- 6.37 The site is positioned on a corner plot, adjoining an area of public disabled car parking and St. Martins Road to the north and Duke Street to the east. The rear of the site backs onto a two-storey building, which rises to three storeys and contains retail units at ground floor level.
- 6.38 The main building would remain of a similar scale and footprint to that existing, with the only notable alteration being the residential use.
- 6.39 The proposed new 2-storey block would be a modest sized addition, located to the west of the existing building that is to be retained.

- 6.40 Due to the position of the building, being bordered by roads and a car parking area to three sides, it is our view that the relationship between the proposed development and neighbouring properties will remain similar to that existing.
- 6.41 Notwithstanding the above, great and consideration care has been given to window placement, with particular care being taken to ensure no overlooking occurs to the properties towards the south of the site. It will be noted that the only first floor south facing windows within the new build lead to living/ dining, kitchen and bathroom. Further, each of these windows are set some way from any nearby development to the south of the site. Our client would be happy for non-habitable windows to be obscure glazed, and for this to be controlled via condition, if the Council considers it both reasonable and appropriate. Further, no balconies are proposed to the south elevation of the proposed building.
- 6.42 Taking into consideration all of the above, it is our view that the proposed development would not have a detrimental effect on the residential amenities of the occupiers of any neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light and would be fully compliant with **saved Policy GEN7** of the Arun District Local Plan.

h. Space Standards

- 6.43 The proposal has been designed to be fully compliant with the National Space Standards, with respect to the internal floorspace, and the emerging Local Plan external space standards.
- 6.44 The Government's Technical Housing Standards - national described space standards sets out minimum gross internal floor areas and storage. The proposed development would comprise 6 No. one bedroom (one person) flats (42-48 sqm), 1 No. 1 bedroom (one person) maisonette (45 sqm) and 2 No. two bedroom (three person) flats (60 sqm).

- 6.45 Each of the flats would **exceed** the National Space Standards, which are set at 39sqm for one bedroom (one person) flats and 61sqm for two bedroom (three person) flats.
- 6.46 Further, the proposal would provide adequate storage space, in accordance with the Government's guidance. With regard to external space standards, each flat would be provided with an area of private amenity space in the form of 1 No. patio/ balcony area. Further, a landscaped communal 'courtyard' area would be provided on site.
- 6.47 **Saved Policy GEN7** of the Arun District 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.
- 6.48 **Emerging Policy DDM3** of the Local Plan sets out external space standards that flatted developments will be expected to meet. These are set out in detail below:-

Apartment developments will be expected to meet (or exceed) the following standards:

Number of bedrooms	Minimum area (sq.m) of private outdoor space per apartment.
	Outdoor space includes balconies (minimum of 1.5m in depth), roof gardens, ground level patios or open space directly connected to the apartment.
1 bedroom	4 sq.m
2 bedrooms	5 sq.m
3 bedrooms	6 sq.m
4 bedrooms	7 sq.m
5 bedrooms	8 sq.m
6 bedrooms	9 sq.m
Each additional occupant	+ 1 sq.m

We can confirm that the proposal is fully compliant with the above guidance.

i. Access and Parking Arrangements

- 6.49 The proposed development will utilise an existing access and dropped kerb off St. Martin's Lane.
- 6.50 When considering parking arrangements, it will be noted from the submitted plans that the scheme proposes 4 No. off-street bays to be provided on site. In addition, covered, secure cycle parking will be provided.
- 6.51 The site is considered to be in a highly sustainable location, within a town centre location very close to public transport services; with the bus station being close by and the rail station within easy walking distance. The site is also close to other facilities upon which it could be expected to rely, and in addition is clearly located close to shops and a range of other services. It is therefore evident that residents of the proposed new development would have easy access to an excellent range of services and facilities, without having a reliance on the private motor car. Consequently, it is our view that the development is in an accessible and highly sustainable location. It is considered that the development is consistent with policy in respect of sustainable development.
- 6.52 It is noteworthy that The Globe Inn development detailed above, recently accepted just 2 No. parking spaces, noting that *"given that parking standards would give rise to a higher level of provision for a public house and in the light of nearby public parking and accessibility to public transport, it is not considered that the level of parking provision at 2 spaces (whilst not in accord with standards) would justify a refusal of planning permission. The use as 5 apartments would give rise to a considerably lower level of provision that would be required for a public house"*. It is our view that the proposed level of provision is therefore wholly appropriate in this location.

- 6.53 As such, it is considered that the proposal will not give rise to highway safety or car parking concerns, and the proposal would accord with Saved **Policy GEN12** of the Arun District Local Plan in that satisfactory access will be provided.
- 6.54 Please note that the access will be provided on an inclusive basis for all groups of residents and visitors.

j. Bin storage

- 6.55 At the time of the recent pre-application enquiry, the Council confirmed that *"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"*.
- 6.56 We can confirm that as part of the development, communal refuse/ recycling storage will be provided on site (commercial refuse bins equivalent to 240 litres/ per flat). As such, the proposal will be fully compliant with the Council's guidance in this regard.
- 6.57 As detailed on the proposed site layout plan, the refuse and recycling store will be suitably enclosed and located adjacent to Duke Street. As such, the Council's maximum pulling distances and vehicles access requirements will be complied with.

k. Landscaping

- 6.58 It will be noted that an area of communal landscaped amenity space is proposed as part of this development.

- 6.59 The Council stated at the pre-application stage that the Council's Parks and Open Space/ Arboricultural Officers looked at the application and as it is for a small development of residential flats they confirmed that there would be no requirements for POS or play area contributions.
- 6.60 The applicants confirm that they would be happy for conditions to be imposed regarding the proposed landscaping details of the site.

I. Affordable Housing & Infrastructure Requirements

- 6.61 National Planning Policy Guidance states:

"There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances are that;

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area) [my emphasis]*
- in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty*

- *affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home.”*

(Paragraph: 031 Reference ID: 23b-031-20161116)

- 6.62 As a consequence, this proposed development of 9 No. flatted units will **not** require a contribution to be made towards affordable housing provision, either on-site or in the form of a commuted sum.
- 6.63 Further, it is understood that a development of 9 No flats will not require open space provision. However, if this is not the case, we respectfully request that the Council planning case officer contacts us directly to discuss this matter in further detail.

7. CONCLUSIONS

- 7.1 The above Planning Statement, together with the revised drawing package and other accompanying application documents, combine to positively respond to the comments made in respect of the previous planning submissions.
- 7.2 Therefore, it is evident that in conclusion, the proposed change of use and residential development of the application site is acceptable for the following reasons:
- The application site is located within the Built-up Area Boundary of Littlehampton, as defined by Saved **Policy GEN2** of the Local Plan, where in accordance with paragraph 14 of the NPPF, there is a presumption in favour of sustainable development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
 - Currently, the Local Authority are unable to demonstrate a five-year housing land supply. It is our view that this weighs heavily in the application's favour; with a net gain of 9 No. residential units making a valuable contribution to the Council's current housing deficit.
 - Following concerns of the Council regarding the loss of the building, this application now seeks permission to retain and convert the existing building, together with a new ancillary detached building located, which is proposed to be positioned to the west side of the site.
 - It is important to note that the site was historically in a residential use. The application is accompanied by a Commercial Viability Report, which robustly demonstrates that the change of use to a residential use would be wholly appropriate for this location, and that a continued commercial use of the site is unlikely to be achievable whilst maintaining viability. Indeed, this very point was accepted by the Council in their granting of permission for a change of use from a public house to residential at a site immediately opposite (The Globe Inn PH).

- Conversion works to the existing building would be of a minor nature and are proposed to be carried out in a sensitive manner. These would include the introduction of conservation style roof lights and leaded dormers, replacement timber doors and windows and the addition of timber balconies to the north and south elevations. The use of materials would be appropriate, with existing external finishes retained where appropriate.
- The proposed new building is of a design that would be entirely in keeping with the existing building and the streetscene. The proposed building will relate sympathetically to existing development within the immediately surrounding area. The proposed development would represent a high quality development that respects the established characteristics of the surrounding area. The application therefore is fully compliant with saved **Policy GEN7** of the Arun District Local Plan.
- It is not considered that the proposed development would significantly harm the amenities of any neighbouring property in terms of loss of light, privacy or overlooking effect, due to the proposal replacing existing built form, as well as distance, and property orientation, in full compliance with saved **Policy GEN7** of the Arun District Local Plan and **D DM3** of the Arun Local Plan 2011 - 2031 (Publication Version);
- The proposal would utilise an existing access and dropped kerb from St. Martin's Lane and provide ample parking provision for the development, which reflects surrounding developments.
- The proposal meets the Council's requirements in respect of Space Standards;
- The site is located within a highly sustainable location.
- The proposal meets all the necessary policy requirements, and will cause no significant harm to the character of the surrounding area. In our opinion the overwhelming weight of evidence supports the proposal as it is shown to comply with all relevant Development Plan policies.



RTPI

mediation of space - making of place



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- 7.3 As the proposal accords with the aims and objectives of national, regional and local guidance, the application site is a suitable for the proposed change of use and residential development and permission should therefore be granted.

October 2017

