

## REPORT UPDATE

Application No: LU/76/25/PL

### Reason for the Update / Changes

Reason for Update/Changes:

#### Construction and Environmental Management Plan

The applicant submitted a Construction and Environmental Management Plan (CEMP) on 23 July and requested that WSCC Highways and ADC Environmental Health be consulted on this. Assuming no objections are raised by these parties then the wording of condition 7 could be amended to refer to the agreed CEMP rather than to require its subsequent approval:

"The development shall proceed in full accordance with the Construction & Environmental Management Plan ref 2024/8391/CEMP02 (July 25). This plan shall be in force throughout the construction process.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises, the safety and general amenities of the area, and in the interests of highway safety in accordance with Arun Local Plan policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 and the NPPF."

WSCC Highways have responded and state no objection, however they do now request an additional informative.

However, ADC Environmental Health (EH) have not yet responded and therefore, the condition cannot be changed at the current time and instead it is necessary to change the recommendation to seek additional delegated authority to amend the condition after the meeting, once EH have responded and have agreed the CEMP.

#### Tree Comments

No consultation advice had been sought from the Council's Tree Officer, but comments were received on 04 August stating:

- There are established trees of high amenity value, exclusively positioned off-site but overlapping the development.
- They are significant within the public highway (Franciscan Way) and notable within private gardens of properties in East Street, the latter within a Conservation Area.
- The existing hard surface (tarmac) will function as ground protection for those tree root systems which overlap the site and is assumed to remain undisturbed.
- Smaller trees of ornamental value at southwest corner of the site make a positive contribution.
- There is no supporting arboricultural information submitted with the application - a requirement of BS5837:2012.
- The principle of development as described is certainly achievable without undue detriment to retained on and off-site trees, although we are yet to have sight of the necessary arboricultural report and plans to demonstrate this has been properly considered.
- As it stands, I see no reason to object to these proposals on arboricultural grounds, subject to the following three conditions.

The requested conditions require the submission of the required supporting tree documents and protection plans, then a pre-commencement site meeting to ensure the tree protection measures are in place and finally to ensure that the works proceed in accordance with the documentation.

However, it is the view of officers that these conditions are not necessary. The large trees on Franciscan Way are not close enough to the proposed EV charge point works within the car park to be affected. The trees in the gardens of the properties on East Street are similarly not affected by any construction works. The small trees and shrubs in the landscaped area on the western side are being retained and the two street trees on the eastern side are within the pavement. None of these small trees warrant special protection. For these reasons, it is not proposed to include these additional conditions.

Additional Representation

A comment has been received from a business on East Street stating, "I have no objection, subject to the proposed structure not infringing our 'Right to Light.'"

Officers Comment:

The additional informative (No. 33) is shown below:

INFORMATIVE: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

In addition, the recommendation is now for the Planning Committee to delegate to the Group Head of Planning in consultation with the Chair or Vice Chair with authority to:

- (a) Grant planning permission subject to conditions including an amendment to the CEMP condition subject to Environmental Health agreement; and
- (b) Subject to a Legal Agreement, the terms of which are substantially in accordance with those set out in this report with any minor amendments authorised by the Group Head of Planning.

**Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.**

Recommendation Report for Planning Permission

**REF NO:** LU/76/25/PL

**LOCATION:** Former Waitrose Site  
Avon Road  
Littlehampton  
BN17 6AT

**PROPOSAL:** Demolition of vacant supermarket building and erection of four-storey hotel with ancillary restaurant, public realm, landscape improvements, retention of

associated car park and all associated works. This application affects the setting of listed buildings and affects the character and appearance of the East Street Conservation Area and is in CIL Zone 4 (Zero Rated) as other development.

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

It is proposed to demolish the vacant building and redevelop the site with a 4-storey 130-bed hotel. The building height will be uniform but due to the change in ground level, the building will appear slightly higher at the eastern end. The height at the western end will be 12.2m and at the eastern end, 14.5m. Located at the western end of the roof will be a rooftop plant enclosure which will protrude 1.3m above the parapet roof, a lift overrun and roof access hatch. The kitchen extraction plant will be located at the eastern end but will be low level. The roof will include solar panels.

The ground floor will comprise front & back of house facilities and an 88-cover restaurant (open to hotel and non-hotel guests). There will be a main entrance into Anchor Springs and a secondary entrance to the north, facing the car park. The ground floor (western end) contains a void area where the ground levels prevent full use of the space. All bedrooms are on upper floors. Service doors are on the northern elevation. There will be new landscaped planters to the west, north and south sides.

The existing car park will be retained but will be changed with the marking out of disabled (8) and electric car charging (6) spaces plus other surface infrastructure. A delivery bay will be on Avon Road to the north and is just west of the existing fenced delivery enclosure. There will be a 14-space staff cycle store in the building. Guests are permitted to store cycles in their rooms.

The building has been designed to create the impression of a terrace of townhouses. It achieves this through different colour bricks (buff, red and grey) and recesses between vertical elements. Elevations include recessed brickwork to window heads, and recessed (false) windows to maintain continuity where no windows are needed. Signage zones are indicated but signs are subject to a separate advertisement consent.

**SITE AREA**

5,878.00 sqm.

**TOPOGRAPHY**

The site gently slopes upwards from east to west.

**TREES**

None affected by the proposed development.

**BOUNDARY TREATMENT**

The existing building frontages are mainly open with the exception of the small external delivery area in the north-east corner that is enclosed by grey metal palisade fencing. The boundary of the car park area is enclosed by a mix of walling

(with different heights) and fencing (to the boundaries of adjoining residential properties).

SITE CHARACTERISTICS

The site is occupied by the former Waitrose building. It has been vacant for approximately 10 years following the relocation of Waitrose to Rustington. The retail unit occupies the southern portion of the site and is two storey in construction with brick elevations and a mansard roof. The building is bulky in design, has inactive frontages and has no architectural or historic interest.

The site is bounded by Franciscan Way to the north, East Street to the east, Anchor Springs to the south, and by a motor works and charity premises to the west. Private car parking occupies the northern part of the site. The main bus stops for the town centre are to the south on Anchor Springs.

CHARACTER OF LOCALITY

The site is in the town centre with the main High Street approximately 65m to the south of the site. A number of commercial uses are in close proximity to the site as well as residential development.

Residential properties likely to be most affected are Avon House on Avon Road (two storey and with a raised ground floor level), the flats above Gratwicke House and 12-16 East Street (to the east). The site abuts the western boundary of the East Street Conservation Area. Buildings in Littlehampton are predominantly no higher than two or three storeys.

**RELEVANT SITE HISTORY**

LU/214/20/PL	Demolition of existing buildings & redevelopment comprising 36 No. residential units (Class C3) & flexible commercial floorspace (Class A1, A2, A3 and/or D1) together with the provision of car & cycle parking, landscaping & associated works (resubmission following LU/3/19/PL). This application affects the setting of listed buildings & may affect the character & appearance of the East Street, Littlehampton Conservation Area. This application is in CIL Zone 4 (Zero Rated) as 'flats & other development'.	App Cond with S106 01-03-21
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LU/3/19/PL	Demolition of existing buildings & redevelopment of site comprising 83 No. residential units (C3 Dwelling Houses) & 158.5 sqm flexible retail floorspace GIA (A1 (Shops) and/or A2 (Financial & Professional Services) and/or A3 (Food & Drink) and/or D1 (Non-residential Institutions)) together with the provision of car & cycle parking, landscaping & associated works. This application affects the setting of listed buildings & affects the character &	Refused 14-08-19
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appearance of the East Street, Littlehampton  
Conservation Area.

Appeal: Dismissed  
04-05-20

LU/214/20/PL granted permission for 36 residential units/flexible commercial space. It included two separate two storey buildings on the footprint of the current building and a third in the car park. Due to the sloping nature of the site, the heights varied but were, at most, around 11.9m. This permission expired in March 2024. LU/13/19 for 83 residential units/flexible retail space was refused and dismissed on appeal with the concerns being height, design, and the harm to heritage assets.

## REPRESENTATIONS

Littlehampton Town Council (LTC) state support with the following comments:

- Positive that the applicant will allow local school use of the car park in the morning/afternoon.
- Positive that the Anchor Springs bus stop environment will improve.
- Request the applicant become involved in LTC's Business Forum and an information point be provided within the hotel to promote local tourist attractions and places of interest; and
- Request that LTC's existing notice board in Anchor Springs be temporarily re-sited during the construction works and a permanent solution found for when the hotel is built.

In addition, 12 letters of support/no-objection raising the following points:

- Positive for Littlehampton.
- A long overdue development.
- Benefits to bus passengers.
- Will attract other town centre investment and create jobs.
- Request that the hotel not be used as accommodation for the homeless; and
- Request the hotel work closely with Sussex Police and partners in respect of exploitation and county lines issues.

1 letter of objection has been received stating that the design is poor.

## COMMENTS ON REPRESENTATIONS RECEIVED:

The material planning considerations raised by the representations are noted. The following comments are offered to the other representations:

- The applicant stated an allowance in the hotel's car park management is proposed to help resolve localised highways issues (principally relating to the schools to the north of the site at pick up and drop off times). This will be a private arrangement and there is no planning reason to secure this through the permission.
- There is no planning requirement to require the applicant to become involved in LTC's Business Forum or promote local tourist attractions. An informative will be added to request the applicant liaise with LTC.
- An informative will also be used to cover the issue of the existing notice board in Anchor Springs; and
- Whilst a condition will be imposed to restrict the use to a hotel under use class C1, a condition to control the types of people allowed to stay at the hotel would not meet the conditions tests set out in the NPPF.

## CONSULTATIONS

**CONSULTATION RESPONSES RECEIVED:**

**ENVIRONMENT AGENCY (EA):** No objection subject to a condition to ensure the proposed flood mitigation measures are undertaken and retained.

**NATIONAL HIGHWAYS:** No objection and recommend no conditions.

**SOUTHERN WATER:** No objection subject to a condition to secure the foul sewage details and to ensure no flood water enters the system. However, confirm they can facilitate foul sewerage water run off disposal to service the development.

**SUSSEX POLICE:** No objection but list a number of advisory notes regarding improving security.

**WSCC HIGHWAYS:** Initially requested amendments to the application comprising of:

- A commitment to applying for a Traffic Regulation Order (TRO) for the use of the loading bay or to reconsider servicing arrangements (e.g. from within car park).
- Pedestrian infrastructure improvements (dropped kerb/tactile paving at Anchor Springs/East Street).
- Updates to the Outline Construction Management Plan (CMP).
- Changes to plans to reflect the parking layout including disabled/accessible hatching and staff parking arrangements; and
- Car park access/egress/directional signage.

The applicant amended the submission to resolve points 4 and 5 whilst a condition will be imposed to secure the final CMP. The applicant has stated that pedestrian improvements would not meet the NPPF tests for planning obligations, but WSCC Highways disagree and state that dropped kerbs/tactile paving is required to make the application acceptable in planning terms.

Regarding the TRO, the applicant has stated they wish to avoid this and that the loading bay can be privately managed through signage/lining and retained as private land. WSCC consider this will cause confusion to the public due to the double yellow lines (DYL) present along the length of the public highway and that ADC could enforce the DYL parking restrictions for any vehicles using the bay. However, WSCC state they would not refuse on the basis of this omission. Any use of the bay by the public would not result in a 'severe' impact as per para 116 of the NPPF.

WSCC state the dropped kerb/tactile paving should be provided as the current full height kerb would be a barrier to guests with mobility/sight impairment and the route is a clear pedestrian desire line to amenities south of the site. If the Local Planning Authority (LPA) is minded to approve the application without seeking this improvement, a s106 should secure a Travel Plan (and associated fee) and conditions should be imposed to secure cycle parking, vehicle parking and turning and the updated CMP.

**WSCC DRAINAGE (LLFA):** State no objection subject to conditions. State the Flood Risk and Drainage documents are in accordance with the NPPF and local planning policy.

**ADC ECONOMIC DEVELOPMENT:** Support the development as this will support the local economy and ongoing regeneration in Littlehampton. It will particularly strengthen the local accommodation infrastructure for visitors and tourism is a key local strategic objective. The Arun District Visitor Strategy 2023-2028 identified that the availability of quality visitor accommodation was a major issue locally.

**ADC ENVIRONMENTAL HEALTH:** State no objection subject to conditions to secure the recommendations of the noise and air quality reports, a CMP, a lighting scheme, delivery hours and

electric vehicle charging points (EVCP).

ADC LANDSCAPE OFFICER: State no objection subject to a further submission of landscape details. Landscape proposals are minimal but would appear appropriate for the application and setting.

ADC ECOLOGIST: State no objection subject to conditions. The BNG proposals exceed the mandatory 10% and includes the planting of 10 trees. The applicant provided a Bat Roost Assessment then the results of three Bat emergency surveys. No bats were found, and no further surveys are required. Recommends that a condition secure the proposed biodiversity enhancements as well as 6 integral swift bricks and pollinator planting in the proposed planters.

ADC CONSERVATION OFFICER: States the proposal will negatively impact the setting of Avon House, Vine Cottage, Gratwicke House, and the Conservation Area and as a consequence there will be less than substantial harm to these assets. Whilst the proposal would remove a large, poorly designed, and out of character building, it would replace it with one which is larger, and one of a simple design which does not fully reflect the context. Essentially, the proposal is to replace one 'out of character' building with another one. Sets out the following comments in respect of design:

- The proposed design does not fully achieve the approach of dividing the large areas of brickwork up so that there is the impression of creating a terrace of houses.
- Greater detail and careful use of materials would better achieve this intended design concept.
- Such an approach could be influenced by terraces in the area e.g. South Terrace, where there is a greater use of coloured bricks to create definition, character, and texture to the visible elevations.
- It might help to review the windows which are predominantly of the same dimensions but lack any particular detail - e.g. making windows smaller the higher up the building and using glazing bars; and
- It is positive that the building will be set further away from Avon House than as at present and incorporates landscape planters to soften the space.

ARUN CONSERVATION AREA ADVISORY PANEL (CAAP): Object on design grounds. State the building is monolithic in form, bland in elevation treatments, fails to respect the character of its surroundings and will harm the setting of the nearby heritage assets.

#### **COMMENTS ON CONSULTATION RESPONSES:**

Reference the request from WSCC Highways for the TRO and pedestrian infrastructure and from the Conservation Officer for design changes, the applicant has highlighted the following:

- Whilst Whitbread (Premier Inn) are the applicant, the land is owned by a Pension Fund who will retain ownership as a long-term investment.
- Premier Inn will operate the hotel under a lease or licence.
- The Pension Fund will fund the costs of the hotel, and they have imposed a strict budget.
- Following concerns raised by Officers around the quality of design, Premier Inn wrote to the Pension Fund in June to request additional budget to cover the design changes and the TRO/pedestrian improvements, but they have declined to make funds available for any changes.
- There is therefore no available budget to make amendments or to fund a TRO.

#### **POLICY CONTEXT**

Designations applicable to site:

- Within the Built-Up Area Boundary (BUAB).
- Within a designated Economic Growth Area.

- Within the Town Centre Retail Boundary.
- The western end of the existing building is a designated Secondary Retail Frontage.
- Currently Flood Zone 2/3 (all except for the western end of the site and most of the car park).
- Climate Change predictions show that all of the site and approximately half of the car park will be within Zone 3a by 2111.
- Known Surface Water Flood Risk on East Street and its immediate environs (1:30 year risk) and at the western end of the site (1:1000-year risk).
- Grade II Listed Building opposite to the North (Avon House) and to the immediate North-East on East Street (The Flintstone Centre).
- Conservation Area on the eastern side of East Street.
- The former Gratwicke Arms Public House is a Building of Character (locally listed building/non-designated heritage asset).
- Within CIL Zone 4.
- Within 2km of the Littlehampton SSSI; and
- There are public sewers on Avon Road and within the Car Park.

## DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPSP2	EMP SP2 Economic Growth Areas
ENVDM5	ENV DM5 Development and biodiversity
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
RETSP1	RET SP1 Hierachy of Town Centres
RETDM1	RET DM1 Retail development
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TOUDM1	TOU DM1 Tourism related development
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

<a href="#">Littlehampton Neighbourhood Plan 2014 Policy 1</a>	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
Littlehampton Neighbourhood Plan 2014 Policy 22	Design of New Development

**PLANNING POLICY GUIDANCE:**

NPPDG	National Design Guide
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 the Littlehampton Neighbourhood Development Plan. 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 complies with the relevant Development Plan policies in terms of this being an appropriate location for a new hotel however it results in a small conflict with retail policy and also generates harm to the designated heritage assets thus conflicting with heritage policies.

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**

There are other material considerations to be weighed in the balance with the Development Plan and these are discussed in the Conclusions section below.

**BIODIVERSITY NET GAIN**

This application is liable for Biodiversity Net Gain (BNG) and will result in 0.17 new on-site habitat units which represents a 181.35% net gain.

**CONCLUSIONS**

PRINCIPLE OF DEVELOPMENT:

The site is in the built-up area boundary (BUAB) where development is acceptable in principle in accordance with Arun Local Plan (ALP) policy SD SP2 (and LNDP policy 2) provided it is in accordance with other development plan policies covering such issues as loss of retail, flood risk, heritage, character/design, residential amenity, and parking.

ALP policy RET SP1 states Bognor Regis and Littlehampton will be the main focus for retail, leisure, commercial, office, tourism, cultural, community and residential development. Policy EMP SP2 states knowledge and culturally based employment as well as retail, leisure and office developments will be directed to the Economic Growth Areas to promote their vitality, viability, and regeneration.

Policy TOU DM1 states tourism proposals will be supported provided that they: (a) are in accessible locations, (b) are accompanied by workable and realistic travel plans, (c) address visitor management issues; and (d) achieve good design. In addition, larger scale proposals (such as this) will be directed towards the economic growth areas including Littlehampton. In terms of visitor management, in the evenings, overnight and early mornings, when existing town centre businesses are closed/less busy, the demand for general town centre parking is low. Should parking provision not be sufficient for guests (and noting the proposed use by local schools) then parking needs of guests can be accommodated by other town centre car parks. Design will be discussed elsewhere.

The proposal is partly in conflict with town centre retail policy given that part of the site (the western elevation) is a designated secondary retail frontage with ALP Policy RET DM1 stating that only use classes A1 to A3 (now E) will be allowed on these frontages. However, a hotel is an appropriate town centre use which will bring additional people into the town centre.

#### FLOODING:

Council mapping (from EA data) shows the site is almost entirely in Flood Zones 2 and 3. The western third is outside of zone 3 but partly affected by zone 2. This extends into the south-eastern part of the associated car park. As per the council's Strategic Flood Risk Assessment, it is predicted that all of the site comprising the building will be in zone 3a by 2111, and this will cover around half the car park. The eastern and western ends of the former supermarket site are affected by known surface water flood risk.

Whilst in practice, much of this risk will be mitigated by existing sea defences (as these are likely to be maintained to protect Littlehampton), government guidance in the NPPF and NPPG make it clear that a sequential site assessment is required where a site is at high risk of current or future flooding from any sources. Per the NPPF and the NPPG, hotels are defined as being "More Vulnerable" and are appropriate in Flood Zone 2, and also within zone 3a subject to the exceptions test being satisfied.

The purpose of the sequential test (ST) is to ensure land use planning takes due regard of flood risks and to ensure that areas at low or no risk of flooding are developed in preference to areas at higher risk. Given that ALP policy TOU DM1 directs large scale hotel proposals to the economic growth areas of Littlehampton and Bognor Regis, the applicant was advised at the pre-application stage to sequentially assess the site versus other sites in the BUAB's of these two areas. However, they argued that they already have a Premier Inn within Bognor Regis (and a second at Shripney) and therefore, it would not be appropriate to provide a further one there. They also argued that as hotels are a town centre use and as policy directs them to the economic growth areas, the search should be restricted to these two areas.

The applicant's ST notes that large parts of these two areas of Littlehampton are in similar flood risk. The ST assesses 2 sites in detail (St Martins Car Park & the former Hospital site on Fitzalan Road) and discounts 10 others. It concludes there are no sequentially preferable sites. The results of this have been accepted and the ST is passed.

The Exceptions Test (ET) is in two parts, firstly that the development will provide wider sustainability benefits to the community that outweigh flood risk; and secondly, that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Government guidance on wider sustainability benefits indicates that these must be genuine benefits to the wider community and go beyond the benefits or policy requirements of a planning application. The guidance suggests the following examples:

- the re-use of suitable brownfield land as part of a local regeneration scheme.
- an overall reduction in flood risk to the wider community through the provision of, or financial contribution to, flood risk management infrastructure; or
- the provision of multifunctional Sustainable Drainage Systems that integrate with green infrastructure, significantly exceeding NPPF policy requirements for Sustainable Drainage Systems.

The appeal approved scheme (LU/214/20/PL) was considered to have passed the ET due to energy efficiency measures. On review of current guidance and best practice, officers do not consider these measures would benefit the wider community (rather they would only benefit site occupiers). The applicant has stated that the following satisfy the wider sustainability benefits aspect of the ET:

- Regeneration and redevelopment of a redundant town centre site including provision of new active frontages, new areas of public realm and landscaping which enhance the appearance of the town centre and the approach into the conservation area.
- A £13.4m construction phase investment in Littlehampton which will support approximately 75 full-time equivalent (FTE) temporary (gross) jobs over the build period in a range of skilled/unskilled positions.
- New employment opportunities for local people through the creation of 42 jobs onsite, which will equate to 32 direct FTE permanent jobs.
- Diversification of the existing tourism accommodation offer in the Littlehampton Area
- Uplift in visitor expenditure within the area (it is estimated that the development is worth an estimated £3.1 million to the local economy per annum and will support around 33 additional local tourist jobs).
- Provision of measures to encourage travel by sustainable non-car modes (including improved and enlarged pedestrian routes, cycle parking and the provision of EVCP).
- An additional 39,858 overnight stays in Littlehampton will support additional investment and growth in the visitor economy.
- A 181.35% biodiversity net gain.
- Improved passive and active security around the site.
- A sustainable urban drainage system (SuDS); and
- Reduced pressure on the local highway at school pick up and drop off time (car park management will allow use by the school to the north).

Whilst these do not reflect the examples set out in national planning guidance, they provide wider benefits to the community and this aspect of the ET is passed. With regard to safety, members will note that no hotel bedrooms are proposed on the ground floor, the hotel will have 24-hour staff in place and the building has been designed to be flood resilient. The EA have advised no objection subject to conditions. On the basis of the above, there is no conflict with the relevant planning policies.

#### DRAINAGE:

ALP policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SuDS) as appropriate to the size of development. WSCC Policy for previously developed land is to seek a betterment on the existing. This policy does not form part of the Development Plan but is a material planning consideration in the determination of applications.

The applicant proposes that surface water runoff would be discharged to the existing surface water sewer in Avon Road via an existing connection but fitted with a new flow control chamber that would restrict surface water flows to a maximum allowable discharge rate of 2.0 l/s (the greenfield rate). Runoff would be collected by underground pipes and stored in an underground attenuation tank. This will have capacity for a 1 in 100-year rainfall event with 45% allowance for climate change.

Groundwater will be prevented from entering the tank. Areas of soft landscaping above the tank will be designed as bioretention areas with 850mm minimum planting depth. Nearby hard landscaping will drain towards these features. Water will be prevented from discharging on to the public highway. The system will also include hydrodynamic proprietary treatment chambers to prevent silt and sediment from entering the attenuation tank and thus to the sewer.

WSCC Drainage have assessed the scheme and consider it provides a betterment. They raise no objection subject to conditions. Therefore, there can be no conflict with the relevant policies.

#### HERITAGE ASSETS:

The site borders the East Street Conservation Area on its eastern and part northern edges. There is a grade II Listed Building (Avon House) immediately opposite the eastern end of the northern elevation. The building opposite the eastern elevation is locally listed (Gratwicke House) and there is a further Grade II Listed Building around the corner on Church Street (Vine House).

ALP Policy HER DM1 requires proposals to protect, and where possible, enhance the setting of Listed Buildings. Policy HER DM3 lists 6 criteria which must be adhered to for proposals that may affect the setting of a Conservation Area. The proposal satisfies criteria d. by removing an unsympathetic feature (the existing building) but at the same time, per the Conservation Officer's advice, it will harm views into the area (criteria f.) and also its character (a.). Policy HER SP1 refers to the need to protect the setting of all heritage assets including those that are non-designated (NDHA).

LNDP Policy 17 requires that the effect of a proposal on the significance of NDHA is taken into account in determining the applications in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) are also relevant and broadly set out the need to preserve and/or enhance heritage assets.

Para. 207 of the NPPF requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 208 requires Local Planning Authorities (LPAs) to identify and assess the particular significance of the heritage asset that is affected by a proposal. The LPA must then consider the level of harm associated with the proposal and decide whether there is no harm, 'less than substantial harm' or 'substantial harm'. The Council's Conservation Officer has determined that the proposal will result in less than substantial harm (LSH) to the setting of Avon House, Vine Cottage, Gratwicke House, and the Conservation Area. As per para 215, it is necessary to counterbalance harm to designated heritage assets with the public benefits associated with the proposal.

The applicants Heritage Statement largely agrees with the Conservation Officer assessment in terms of LSH with the exception that it judges the impact on the Gratwicke House NDHA to be neutral. The Heritage Statement sets out a list of public benefits which are the same as those given above under Flood Risk. Notwithstanding the objections of the Conservation Officer and CAAP on design and character, the level of public benefits are substantial, and the proposal will lead to a visual improvement in this part of the town centre providing a more welcoming environment for those arriving by bus and the general public at large. The public benefits will outweigh the harm to the designated heritage assets and therefore overcome the concerns of the Officer and CAAP.

In terms of impact on NDHA (Gratwicke House), para 216 requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. The applicant's submission of a neutral impact is not accepted; however, it is clear that the harm is low and therefore there would be no conflict with the NPPF in this regard. Therefore, overall, whilst there will be harm to heritage assets and conflict with policy, material considerations (the NPPF & the benefits) serve to outweigh this harm.

#### CHARACTER, SCALE, DESIGN & LAYOUT:

ALP policies D SP1 and D DM1 require development to make the best possible use of land by reflecting or improving on the character of the site/surrounding area. In addition, policy TOU DM1 requires that tourism proposals achieve good design. LNDP policy 22 encourages schemes to be submitted to the Littlehampton Design Assessment Panel prior to submission. This has not been done but does not in itself generate a policy conflict.

The Arun Design Guide (ADG) is predominantly focused on residential development and does not contain any guidance specific to hotel developments but generally requires development to respond to the distinctiveness & characteristics of their surroundings in terms of scale, massing, and materials, protect the amenities of occupants & neighbours and seek to minimise energy consumption and improve environmental performance. Part T covers town centre uses and states:

- Ground floor frontages should incorporate active uses with inactive uses located above or to the rear. The maximum length of inactive frontage should not exceed 15 metres.
- The height of buildings should be appropriate to context and may include taller 'landmark' buildings which provide a focal point and aid legibility.

The hotel will be higher than the approved scheme (14.4 max height versus 11.9m) and around 1.25m higher than the highest part of the existing building (excluding the height of the tower element). Unlike Bognor Regis, Littlehampton has far less buildings of height and generally has a lower scale character. Buildings are predominantly no higher than two or three storeys and do not possess significant mass or bulk (with the exceptions being churches and the Arun Civic Centre).

However, at the same time, the new building will occupy much less of the footprint than the appeal approved scheme or the existing building thus giving greater space to the north and south frontages for public realm and landscaping improvements. Anchor Springs is a key gateway to the town being where buses drop people off for the town centre. The building also has a more straightforward footprint and design with clean lines/edges and uniform window positions (the existing building has relatively few windows on the northern, eastern, or southern elevations). It is also positive that the applicant lowered the height of the building from 5-storeys on the pre-application scheme to 4 as now proposed.

Whilst the public comments are largely supportive of the scheme, one comment stated that the design was poor whilst both CAAP and the Conservation Officer expressed concerns with the design - and requested improvements. Officers agree with the Conservation Officer that additional design articulation would better create the impression of a terrace of town houses and improve the appearance of the proposed building.

The applicant was requested to amend the plans to show a greater relief between the different colours and more detailing on the elevations, perhaps the addition of Juliette balconies, window glazing bars and use of a coloured brick bond. The Conservation Officer also suggested varying the size of the windows i.e. larger windows on the first floor, getting smaller on the higher levels. In short, the view of officers is that the design is not appropriate to the location and could be substantially improved. The applicants stated in response that changes would not be possible due to the constraints of the budget agreed with

the Pension Fund.

Officers also have concerns with the lack of an active frontage along the western elevation (which is the ALP designated secondary retail frontage and used to be the storefront for Waitrose). The lack of an active frontage is in conflict with the ADG guidance. This elevation does not benefit from any natural surveillance from the existing development to the west. However, this is a wide space, and the existing landscaping will be retained. There are first floor bedroom windows looking into the space. The applicant is not able to include ground floor windows as this part of the building has a void due to the flood risk extent and topography. The other frontages are acceptable and represent an improvement on the existing building which has relatively few windows or openings.

Notwithstanding the poor design, the proposal represents a significant improvement to this part of the town centre and this aspect must be weighed up against the existing unattractive building which has been vacant for around 10 years. A refusal on design and character grounds could result in the site remaining empty for a further period of time and the benefits of this proposal to the immediate environment and the health of the wider town centre area could be lost. It is in this context that the harm should be weighed up.

On balance, the design and layout is acceptable and there is no conflict with the development plan policies.

#### RESIDENTIAL AMENITY (PRIVACY & LIGHT):

ALP policy D DM1 states proposals must have minimal impact to users/occupiers of nearby properties/land and Policy QE SP1 requires all development to contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The ADG sets out guidance on interface distances between dwellings and these standards would be applied between facing residential and hotel bedroom windows to ensure that existing dwellings do not have their privacy and living conditions compromised. This same approach was taken with the Premier Inn in Bognor Regis. The key requirement per the ADG would be to achieve at least 16m between front windows.

There are residential windows directly facing the site on the southern elevation (front) of Avon House to the north, and above 10/10a East Street (Gratwicke House) and 12-16 East Street to the east.

The existing building has only two windows in the eastern elevation (one of which appears to serve a set of stairs and is obscure glazed, the other is at a higher level), six in the northern (four of which face Avon House and two face the car park). The appeal approved scheme would have had retail windows and bin/bike storage doors at ground floor facing the affected residential properties. At first floor level there would have then been residential bedroom/lounge windows facing Gratwicke House at a distance of 15-16.5m and at around 14.5m to Avon House.

The east elevation of the proposed building only has communal landing windows facing Gratwicke House. Notwithstanding the additional proposed height of the building, this reflects the existing situation. These will be at a distance of around 15.9m and so this arrangement will be acceptable subject to these windows being obscure glazed.

The northern elevation has hotel bedroom windows at first, second and third floor levels. Some of these will face Avon House's windows at a distance of between 16.6m and 17.7m. This arrangement does not accord with ADG standards, and it would not be appropriate to obscure glaze bedroom windows. It is material that the scheme has made improvements to the relationship with Avon House as northern edge of the hotel footprint will be between 1.9m and 3.3m further away from Avon House than the existing. As

noted above, there are also four existing windows at first floor level facing Avon House which served offices. The total height in this part of the site is only 1.3m higher than the existing ridge.

It is positive for Avon House that the delivery area has been moved westwards so it will no longer be directly opposite Avon House's windows. This arrangement was sought by officers at the pre-application stage to provide betterment for the existing residents. The Council's Environmental Health Officer has also requested a condition to restrict delivery hours to between 08:00 and 18:00. This is the same condition as was applied to the Premier Inn in Bognor Regis. The application had proposed deliveries starting at 6.30am but this was judged to be too early and could harm the amenity of Avon House.

The ADG requires developments to maximise levels of sunlight/daylight and minimise levels of overshadowing to adjacent buildings. The applicant has provided a Daylight and Sunlight Report prepared using the Building Research Establishment (BRE) guidelines. The report demonstrates no noticeable change in daylight and sunlight as a result of the proposal. These results are accepted, and the proposal must be determined to be in accordance with policy/guidance on sun/day light.

For the above reasons, there is no conflict with the relevant policies.

#### POLLUTION AND CONTAMINATION:

Policy QE DM1 requires that noise generating development be accompanied by an acoustic assessment. Policy QE DM2 states outdoor lighting should not have an adverse impact on neighbouring uses and should minimise potential glare and spillage. Policy QE DM3 requires that major developments be in easy reach of established public transport services, maximise provision for cycling & pedestrian facilities, include electric car charging points and contribute towards the improvement of the highway network. Policy QE DM4 requires that contamination is identified and mitigated to prevent harm to human health.

The application is accompanied by a Noise Impact Assessment, Delivery & Servicing Management Plan, Kitchen Extract Odour Report, External Lighting Report, and an Air Quality Report. Environmental Health has reviewed all raise no objections subject to conditions to secure the recommendations of the noise and air quality reports, a CMP, a lighting scheme, restrict delivery hours and provide EVCP. There is no conflict with the wording of the relevant policies given the town centre location.

Prior to the Waitrose Store, the site was occupied by a bus depot, and it is understood from the submitted Geotechnical report that voids underneath the ground level have been discovered although it is stated these are not likely related to the bus depot use (i.e. so not bus service pits). An unexpected contamination type condition would ensure that should anything untoward be encountered during demolition then it is appropriately mitigated.

#### HIGHWAY SAFETY & PARKING:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking.

The council's Parking Standards SPD does not include any guidance on hotel parking provision however WSCC's standards require 1 space per bedroom (so a maximum total of 130 spaces). This does not differentiate between town centre and other locations. The Parking Standards SPD does state that if parking could reasonably be expected to take place in existing streets, then it will be necessary to demonstrate through a parking capacity survey that there is sufficient capacity to accommodate the

expected parking demand. The Parking SPD also requires that layouts include parking spaces suitable for disabled people and that this should be consistent with guidance in "Manual for Streets" (which requires that 5% of all spaces are suitable).

The site has the benefit of an existing 96 space car park which is presently unused and blocked off from the street. This will be retained largely as is but with new marking to designate disabled/EV spaces plus new infrastructure to provide the charging facilities. The disabled space provision represents 8.3% and is therefore appropriate. The applicant's Transport Statement states:

- Whilst the proposal would typically warrant the delivery of 130 car parking spaces if applying the prescribed WSCC standards stringently, the town centre location, availability of alternative travel modes and proximity to other public car parks support a reduced provision.
- These characteristics are all matters the NPPF confirms should be taken into account when considering levels of parking.
- An operational parking assessment has been undertaken, and this forecasts a reduction in parking demand through the morning and an increase in parking accumulation throughout the evening.
- The peak parking demand for the hotel would occur overnight, with a maximum demand for circa 100 car parking spaces (assuming full occupancy); and
- During the time of most demand (overnight), there will be plenty of capacity at public car parks.

The proposal includes sufficient cycle storage for both staff and guests. WSCC Highways have raised no concerns with the car parking or cycle storage provision. It is also relevant that a recent application for a place of worship in the town centre (LU/242/24/PL) was approved despite there being an insufficient amount of private car parking spaces. The officer report stated there are 346 publicly available parking spaces within 500m of that site. This site is only about 100m from the place of worship.

It is noted that currently (per Google Streetview imagery) cars are parking across the car park entrance/exits on Avon Road (3-4 cars) as these areas do not benefit from double yellow lining. With the reopening of the car park, these vehicles would be displaced but this is only a very minor impact, and it would be unreasonable to object on the basis of cars losing the ability to park across entrances.

Whilst WSCC Highways raise no concerns with parking or use of the car park, as noted elsewhere, they have requested pedestrian improvements and also a TRO to control use of the proposed loading bay. The applicant has not agreed to these aspects and as such, WSCC Highways state they object (albeit only in respect of the pedestrian improvements). Notwithstanding that WSCC have also set out conditions to be secured should permission be granted, this is a very minor issue, and the harm is outweighed by the benefits that the site will bring (as discussed elsewhere).

Overall, the proposal complies with the relevant development plan policies and supporting guidance. A legal agreement will be required to secure the Travel Plan and associated monitoring fee.

### WASTE MANAGEMENT:

Section H.07 of the ADG advises waste provision should meet the requirements of the users of buildings while being as unobtrusive as possible, it should also be convenient and safe for users to access and ensure efficient collection by waste vehicles. The ground floor plan indicates the provision of an internal store for waste and recycling bins on the northern side of the building. This will allow for vehicular access from Avon Road and is within an acceptable distance from the public highway for refuse collectors to transport the bins to/from the collection vehicle. There is thus no objection to this proposal.

### BIODIVERSITY:

ALP policy ENV DM5 requires that proposals achieve a net gain in biodiversity and protect existing habitats on site. The applicant undertook a survey, and this identified that the building may be suitable as a bat roost due to a number of holes/gaps in the structure. Three bat emergence surveys were carried out in May, June, and July 2025 but no bats were recorded. The Council's Ecologist reviewed the surveys and raises no objection.

There is an existing raised ornamental planting bed on the western side of the site. This is sparsely vegetated but does contain two small trees (1-2m high). This bed will be retained, and the proposal will introduce 5 new raised planting beds including 10 new urban trees which together provide a Biodiversity Net Gain of 181.35%. There is no conflict with the relevant policy.

#### CLIMATE CHANGE/SUSTAINABLE CONSTRUCTION:

ALP policy ECC SP2 requires all new residential and commercial development be energy efficient and should incorporate decentralised, renewable, and low carbon energy supply systems. It states for major developments, 10% of the total predicted energy requirements should be produced from renewable/low carbon energy generation on site, unless it is demonstrated this is unviable. Policy ECC SP1 requires that new development be designed to adapt to impacts arising from climate change.

The submitted Energy Statement sets out that the building will include the following building methods/technologies to achieve an overall a 32% reduction in carbon emissions with over 10% generated from solar PV panels:

- Photovoltaic Panels on the Roof.
- Air Source Heat Pumps for heating.
- Energy Efficiency Measures
- Improved fabric and glazing efficiencies.
- Energy efficient LED lighting.
- Mechanical heat recovery ventilation; and
- Water saving technologies.

As set out in the Design and Access Statement, the hotel is targeting a BREEAM 'excellent' rating. A condition will be imposed to seek the detail of these features, and a further condition will seek the placement of electric vehicle charge points in the car park (which will also satisfy policy QE DM3(c)). On this basis, the proposal complies with the relevant policies.

#### SUMMARY:

The proposal must be determined in accordance with the development plan policies and material planning considerations including the NPPF. As the Council's development plan is not up to date in the eyes of the NPPF, this application ultimately falls to be determined against paragraph 11d of the NPPF i.e. the presumption in favour of sustainable development. Part (i) of this states the presumption does not apply where certain NPPF policies (such as flood risk and designated heritage assets) provide a strong reason for refusal. Whilst flood risk and heritage are issues with this site and proposal, the analysis above sets out that there is no strong reason to refuse on this basis.

As such, the application should be determined against part (ii) which states permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF having particular regard to making effective use of land, securing well-designed places, and providing affordable homes.

This report has identified less than substantial harm to the heritage assets, harm to the character of the

area from the poor design/quality of the building, the loss of a secondary retail frontage and some residual harm to the amenities of existing residents. However, the public benefits (as set out above in the Flood Risk section) are substantial and the application also represents the effective use of previously development land. The public realm improvements and wider benefits to the town centre are positive and weigh heavily in favour of a hotel in this location. The application is also supported by the Council's Economic Development officers, by the Town Council and by local people.

The recommendation is for the Planning Committee to delegate to the Group Head of Planning in consultation with the Chair or Vice Chair with authority to:

- (a) Grant planning permission subject to conditions; and
- (b) Subject to a Legal Agreement, the terms of which are substantially in accordance with those set out in this report with any minor amendments authorised by the Group Head of Planning.

**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 to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been 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 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.

**SECTION 106 DETAILS**

This decision will be granted in accordance with a legal agreement (a unilateral undertaking) which secures a Travel Plan and the associated contribution of £3,950 for monitoring and auditing the Travel Plan.

**CIL DETAILS**

This application is not CIL liable due to it being for a form of development falling outside of the CIL Charging Schedule.

**RECOMMENDATION**

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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:

- Location Plan 6122-P-000.
- Proposed Site Plan 6122-P 002 Rev C.
- Proposed Ground Floor Plan 6122-P-100.
- Proposed First Floor Plan 6122-P-101.
- Proposed Second Floor Plan 6122-P-102.
- Proposed Third Floor Plan 6122-P-103.
- Proposed Roof Plan 6122-P-104.
- Proposed South Elevation 6122-P-201.
- Proposed East Elevation 6122-P-202.
- Proposed North Elevation 6122-P-203.
- Proposed West Elevation 6122-P-204.
- Proposed South Streetscape Elevation 6122-P-205.
- Proposed East Streetscape Elevation 6122-P-206.
- Proposed North Streetscape Elevation 6122-P-207; and
- Proposed West Streetscape Elevation 6122-P-208.

Reason: For the avoidance of doubt and in the interests of amenity/the environment in accordance with Arun Local Plan policies D DM1, QE SP1, T SP1, HER SP1, HER DM2 and HER DM3.

- 3 The development shall proceed and be carried out in full accordance with the recommendations and noise levels set out in the Noise Impact Assessment Rev 00 (03/04/2025) by Scotch Partners LLP and the recommendations set out in the Air Quality Impact Assessment SBE Ref: PR-D103 - 1v1 (April 2025) by Stroma Built Environment Ltd.

Reason: To protect the local environment in accordance with Arun Local Plan policies QE DM1, QE DM3 and QE SP1.

- 4 Notwithstanding the provisions of the Town & Country Planning General Development Order or Use Classes Order (or any Order revoking or enacting these Orders), the use hereby permitted shall be restricted to a hotel under Use Class C1.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative uses, in accordance with Arun Local Plan policies D DM1, T SP1 and QE SP1.

- 5 The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment & Drainage Statement by Simpson TWS (ref P24-0122, Issue 2 - 10th April 2025) and the following mitigation measures detailed within the Flood Risk Assessment.

- Finished floor levels shall be set no lower than 3.45 metres above Ordnance Datum (AOD).
- All sleeping accommodation shall be at first floor level or above.
- Demountable barriers at doors/openings at ground floor level shall be implemented to a minimum height of 600mm above ground floor level; and
- Electrical ring mains shall be suspended from first floor level with drops to ground floor

sockets and switches. Electrical sockets shall be set no lower than 600mm above ground floor level.

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 Arun Local Plan policies W SP1, W DM2 and the NPPF.

- 6 The approved development shall achieve a minimum of 10% energy supply reduction from either the use of decentralised/renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF). Any physical features that are required as part of the works must be installed prior to the occupation of the hotel and shall be thereafter permanently maintained in good working condition.

Reason: In order to secure the generation of on-site energy use to meet the predicted energy demand in accordance with Arun Local Plan policy ECC SP2 and the NPPF.

- 7 The development shall proceed in full accordance with the Construction & Environmental Management Plan ref 2024/8391/CEMP02 (July 25). This plan shall be in force throughout the construction process.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises, the safety and general amenities of the area, and in the interests of highway safety in accordance with Arun Local Plan policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 and the NPPF

- 8 No development shall take place, apart from demolition of the building, clearance of the site or any necessary surveys/investigation work unless and until the applicant has prepared and submitted for approval in writing, an Employment and Skills Plan. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Arun Local Plan policy SKILLS SP1. This must be a pre-commencement condition as it relates to the construction phase of development and to ensure measures are in place so that local crafts people and apprentices are employed on the development.

- 9 No development shall take place, apart from demolition of the building, clearance of the site or any necessary surveys/investigation work unless and until construction drawings of the proposed surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, Flood Risk Assessment/Drainage Statement (Issue 2, Simpson TWS, April 2025) and the drawing "Proposed Drainage Scheme" (Dwg P24-0122-SK002 Rev P3, Mar25) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Arun Local Plan policies W DM2 & policy W DM3. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

10 No development shall take place, apart from demolition of the building, clearance of the site or any necessary surveys/investigation work unless and until details of the proposed foul drainage system have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of siting, design, and subsequent management/maintenance). The proposed drainage system shall be designed and constructed to prevent the ingress of flood water into the sewerage network. No part of the new building shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with Arun Local Plan policies W DM1 and W DM3. This is required to be a pre-commencement condition because it is necessary to implement the foul water drainage system prior to commencing any building works.

11 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of the materials and finishes to be used for the external walls and roofs of the proposed building have been submitted to and approved in writing 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 and the character and appearance of the Conservation Area in accordance with Arun Local Plan policies D DM1, HER SP1, HER DM2 and HER DM3.

12 No development above damp-proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a soft landscaping scheme including full details of the landscaped planters, together with measures for the protection of any existing landscaping during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with Arun Local Plan policy D DM1.

13 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the "Ecological Assessment" by Ecology Solutions (V3, 03/07/25). This shall also include the placement of 6 swift bricks within the building and the use of pollinator planting in the external landscaped planters. The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).

14 Prior to the occupation of any part of the approved building, details of electric vehicle charge points to serve the parking spaces associated with the hotel shall be submitted to and approved in writing by the LPA. The provision shall be in accordance with the council's standards as set out in its Parking Standards SPD unless otherwise agreed in writing by the

Local Planning Authority. The applicant or developer shall provide the agreed electric vehicle charge points to serve the parking spaces associated with the hotel prior to occupation of the approved building. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 15 Prior to the occupation of the development hereby approved, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) and GN08 2023. "Bats and Artificial Lighting at Night".

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white (The recommended Kelvin level is 2700) with a clear view, no UV a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the amenities of the area, the site biodiversity, the interests of minimising crime, road safety and to minimise unnecessary light spillage outside the development site in accordance with Arun Local Plan policies QE SP1, QE DM2, T SP1 and ENV DM5.

- 16 No part of the proposed restaurant shall be used unless and until details of a suitable system for the extraction of cooking odours (including details of the extract fan units, filters, extraction hoods and ducting, together with method of noise abatement) has been submitted to and approved in writing by the Local Planning Authority. The submission should also include details of hours when the kitchen ventilation extract system will be operational. The equipment approved under this condition shall be installed by a competent engineer before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of local residents in accordance with Arun Local Plan policies QE DM1 and QE SP1.

- 17 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Arun Local Plan policy T SP1 and the NPPF.

- 18 No part of the development shall be first occupied until secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing

by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 19 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to the pre-commencement drainage condition. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with the NPPF and Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3.

- 20 Notwithstanding the submitted Delivery and Servicing Management Plan, no delivery vehicles shall arrive at or depart from the delivery bay, and no industrial, commercial or trade goods shall be loaded, unloaded or otherwise handled, outside the hours of 08:00 and 18:00 Monday to Friday, 08:00 to 18:00 on Saturdays or at any time on Sundays, Bank or other Public Holidays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 21 The communal landing/hall windows on the eastern elevation of the building shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the facing residential properties in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 22 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 23 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not

begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 24 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 25 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a Travel Plan and the associated monitoring/auditing fee of £3,950.
- 26 INFORMATIVE: The EA strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. If you would like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the online planning practice guidance (<https://www.gov.uk/government/collections/planning-practice-guidance>). Further guidance on flood resistance and resilience measures can also be found online.
- 27 INFORMATIVE: The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.
- 28 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read the New Connections Services Charging Arrangements documents via <https://beta.southernwater.co.uk/infrastructurecharges>.
- 29 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or

being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 30 INFORMATIVE: This notice does not give authority to destroy/damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage/destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 31 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 30 April 2025) as available on the council's website.
- 32 INFORMATIVE: Littlehampton Town Council (LTC) request the applicant become involved in the Town Council's Business Forum and an information point is provided in the hotel to promote local tourist attractions and places of interest; LTC request their existing notice board adjacent to the building on Anchor Springs is temporarily re-sited during construction and a permanent solution found for when the hotel is built. Please liaise with LTC regarding these issues.
- 33 INFORMATIVE: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.