

Report to	Planning Committee
Date	14 June 2018
By	Director of Planning
Local Authority	Arun District Council
Application Number	SDNP/17/06441/FUL
Applicant	Mr David Wood
Application	New building comprising gym, multi-function hall, heated changing rooms and indoor café.
Address	Arundel Lido, Queen Street, Arundel, BN18 9JG

Recommendation: That planning permission be granted subject to conditions as set out in Paragraph 10.1 of the report.

Executive Summary

The Arundel Lido comprises of two open air swimming pools and ancillary buildings in large grounds. It is an established community facility which is a popular destination in the summer months. It is recognised as an asset of community value in the Arundel Neighbourhood Plan 2014 which also contains a site specific policy that supports its development for additional community and recreational facilities.

The application proposes a new building on site which would comprise of a community hall, gym, reception area, café and new changing facilities. The building would be built on the footprint of some of the existing buildings at the site entrance, including on the footprint of the existing changing facilities.

The Lido occupies a sensitive and unique site. Whilst on the south east edge of Arundel it is close to the town centre and the River Arun runs adjacent to it. On its western side is a row of residential and commercial properties which are within a conservation area and 4 of them are grade II listed. The site is a gateway location into the town as it is easily accessed from the A27 and there is a large public car park next to it.

The proposed building is of a contemporary design which has been influenced by the cultural heritage of the town and resembles its community or civic use. Its design would also conserve existing views of Arundel Castle from immediately outside of the site, which contributes to a sense of place.

The proposals would create a greater level of activity on site throughout the year in comparison to its current more seasonal use. Concerns have been raised about noise and disturbance. Environmental Health have not objected, subject to conditions. It has been concluded that this issue is largely addressed through the design and siting of the building and the recommended conditions. These include a requirement for a further acoustic assessment as a pre-commencement condition, as recommended by Environmental Health. The proposals are acceptable in all other respects apart from outstanding discussions with the county ecologist which have not yet been resolved. Subject to addressing their concerns by the committee meeting, the application is recommended for approval.

The application is placed before committee due to the scale and nature of the development and its sensitive location, including its proximity to neighbouring residential properties.

1. Site Description

- 1.1 The Lido is a well-established open air facility which dates back to the 1960s. Its mixed history includes its closure in 1999. Following a 125 year lease being secured by Arundel Town Council from Arun District Council in 2002 it was re-opened in 2004 after the main pool was re-built. It has since been operated by the Arundel and Downland Community Leisure Trust (a Charitable Trust) during May to September. It is a public facility with visitors paying either an entry fee 'on the day' or season tickets are available. It is open 7 days a week.
- 1.2 The Lido covers an area of approximately 0.5 hectares. There are two pools surrounded by hardstanding, single storey ancillary buildings, such as the reception building at the entrance and staff office, and a large grassed area. Buildings on site date from the 1960s are a constructed out of a variety of materials. The gated entrance is via the car park where there is a reception building and adjacent changing facilities and plant room which abut the car park and the Twitten.
- 1.3 The Lido is located on the south east edge of Arundel close to A27 and the town centre. It is accessed from The Causeway and Queen Street which is a direct route from the A27 into the town centre. The access leads into a large public car park (Fitzalan Pool Car Park) on the southern side of the Lido which is used by its visitors as well as people visiting the town centre and is a gateway location for Arundel. This car park is surfaced in tarmac and has 145 public spaces plus staff parking which are demarcated by white lines. There are boundary trees and hedging around its east and southern boundaries.
- 1.4 The River Arun meanders alongside its north and east site boundaries where there is also a public tow path which runs along the river bank past the site. This is also a designated site of nature conservation interest (SNCI). The car park is within flood zone 3 but the Lido itself is less susceptible to flooding and is within flood zone 1 due to its raised position above the river. The site boundaries adjacent to the river are defined by fencing and trees where views into and out of the site are limited. The south and west site boundaries are defined by walls.
- 1.5 The Lido is behind commercial and residential properties to the west and south which front onto Queen Street. These properties are within a conservation area which covers the town centre and extends along Queen Street. The properties to the south back onto the public car park whilst the properties directly opposite to the Lido back onto an access, also known as a Twitten (a rear passageway), which is used as a pedestrian link between the car park and the town centre. These are the closest properties to the site. Four of the neighbouring properties are also listed with the closest being Maltings and The Cottage which are grade II listed.
- 1.6 There are views of Arundel Castle and the cathedral from the site, including from the public car park and conversely the site is visible from the castle within elevated panoramic views across the town.

2. Relevant Planning History

- 2.1 SDNP/13/03059/FUL – Extension to existing meeting and social room. Approved - 30 August 2013
- 2.2 SDNP/12/01774/FUL – Extension to existing meeting and social room. Approved - 14 November 2012.
- 2.3 Pre-application advice was sought on proposals very similar to the current scheme under planning reference SDNP/17/06267/PRE. The proposals were also presented to the Design Review Panel, which made the following comments:
 - Support for the proposals.
 - Long term masterplan recommended.
 - Need for a comprehensive landscape strategy across the site.

- Comprehensive scheme of tree planting in the car park could be a better approach.
- Could the car park area also be used as additional community space (eg markets)
- More interaction with the river would benefit the proposal- reed beds containing hidden fences encouraged. Could the tow path be brought into the use for jogging?
- Little mention of the lane/route to the west side of the car park to the town centre.
- The two storey building and its massing worked well on the site.
- A 'heavy' building with thick walls and strong proportions provides a sense of gravity to the building, but some conflict with window design.
- The scalloped walls of the building are a good design feature.
- The 'sloppy mortar' approach to the brickwork appears an element of fashion, should consider alternatives.
- Line of guttering well considered roof design. Zinc roof and rain pipes could work if high quality like Ditchling Museum.
- Query the size of the gym and whether an external open air gym area could be included.
- Consider SuDS and recycling of water.

3. Proposal

3.1 The application seeks to modernise the existing facilities and introduce a new two storey building which would have a community use, as described below. The existing pools would also be retained and the existing access point into the Lido would be used. The existing and proposed uses for the site are described below.

The existing uses

3.2 Currently the site operates between May and September inclusive. It has a capacity for 450 visitors. The pools are predominantly open between 10am and 7pm but sessions for adults are also available between 6:30am- 9am three days a week and between 7:15pm-9:15pm two days a week. It can also be hired for private events either as a whole or separate areas but the pools cannot be hired during public opening hours. These bookings include yoga classes, aquarobics, lifeguard training, scuba lessons, and music shows and black-tie events on the grassed area.

The proposed uses

3.3 The proposals would involve a more extensive use of the site whereby it would not solely be a place to swim but would take on a more multifunctional use. In addition to being a facility for swimming it would provide the following:

Community Hall

- Capacity: 100 seated, 180 standing
- Uses: Exercise, educational and dance classes, parties, shows, wedding receptions.
- Proposed opening hours: 9am-11pm Monday to Friday, 10am-11pm Saturday and 10am-10pm Sundays (depending on bookings). Open all year including bank and public holidays.

Gym

- Capacity: up to 350 members.
- Proposed operating hours: 06am to 9pm Monday-Friday, 8am-4:30pm on weekends. Open all year including bank and public holidays.

Cafe

- Capacity of c.20 customers. It is proposed to be open year round to coincide with the opening times of the site, including one off events such as the Festive Swim.

3.4 The car park adjacent to the Lido would continue to be used by visitors and its layout of spaces and surfacing would be unchanged.

The proposed building

- 3.5 The Proposals involve the demolition of 4 buildings on site. A new 2 storey building with a single storey element is proposed adjacent to the car park. The proposed 2 storey building would comprise of a reception area, the multifunctional community hall and café, with kitchen facilities and an outside terrace, and toilets. There would be a new gym with lockers and a small lounge on the first floor.
- 3.6 The two storey building would be 25m long and have a tapered width which would be 10.3m wide at its widest point. It would have a multi-faceted roof form which would be 8.5m high at its highest point and, in combination with the shape of the building, the design of the building seeks to retain views of the castle from the public car park in particular.
- 3.7 It would be constructed out of brick with a contemporary shaped anthra (black) zinc roof. It would have windows in all elevations at ground and first floors of varying sizes and proportions, in particular there is a large semi-circular window proposed on the west elevation. The windows would be aluminium in a grey colour. The fenestration has been devised in order to include some views of the castle. The words 'Arundel Lido' are proposed as feature masonry on the west elevation facing the car park.
- 3.8 Connected to the two storey building would be new single storey element. This would comprise of new changing and toilet facilities, a first aid room, lifeguard station and an office. These new facilities would be constructed on the footprint of the existing changing rooms and would extend up to the existing plant room which is to be retained. It would be built in the same brick and mortar treatment as the new building with a parapet roof. The shape of the walls on its north and south elevations would be scalloped, which provides spaces for new open air showers and tree planting respectively.
- 3.9 Overall, there would be an increase of 454sqm of new floorspace on site in comparison to the buildings which would be demolished and the retention of the plant room. 200sqm of this increase would be the first floor gym facilities. The building has been designed to exceed Building Regulations in regard to its environmental performance.

The proposed landscape scheme

- 3.10 A landscape scheme is proposed for the site which seeks to engage with the adjacent river. This consists of some new bunds along the northern edge in regard to offering interesting play space and wider views outside of the site. A variety of downland and rye grasses and seed mixes are proposed for the large grass area within the site. Climbing planting and areas of new shrub planting alongside the two storey building and the outside wall of the western boundary are also proposed.
- 3.11 New tree planting is proposed within the car park and the existing boundary trees are proposed to be retained apart from 3 of them on the northern boundary of the car park. Surface water from the roof of the 2 storey building would flow into a biodiverse rain-garden next to the southern site boundary.
- 3.12 The application documentation outlines a second phase of work to transform the car park area immediately adjacent to the proposed new buildings into a multi-use space for both parking and as a new civic space, through the use of new hard and soft landscaping. This does not form part of the current application but is highlighted as an aspiration for the development of the Lido site. This space would cater for public events and markets for instance.

4. Consultations

- 4.1 **Arboriculture** – No objection subject to condition.
- 4.2 **Arun District Council** - No objection, recommend conditions relating to drainage.
- 4.3 **Arundel Town Council** - No objection.
- Opportunities for incorporating renewable energy measures have been lost.

4.4 **Dark Night Skies** - Comments.

- Principles of the lighting strategy follow the Institute of Lighting Professional guidelines. No detailed design yet, all lighting to be included in a detailed strategy.

4.5 **Design** - Objection.

- Landscape proposals fail to reduce the negative impact of the large associated car park, which is visible from Arundel Castle across the river and provides a negative first impression when arriving in the town and doesn't take advantage of its riverside location.
- Car park could be improved by a combination of surface treatment and more locally appropriate extensive tree planting to break up the large uninterrupted lines of car parking.
- DRP suggested replacing the solid timber boundary fence (northern boundary adjacent the tow path) with a combination of planting and open railings to allow a visual connection between the site and the river, to provide a sense of the riverside location for visitors to the Lido.
- Support the use of spoil to create enhanced bunds for both play value and allow views across the river.
- The proposed building is attractive and appropriate in its scale, form and choice of materials.

4.6 **Ecology** – No objection, subject to condition.

- Site unlikely to support bats.
- Potential for reptiles in peripheral habitats outside of the site which could support great crested newts but even if species are present satisfied there is no reasonable likelihood protected species would be impacted by the works.
- No impact on adjacent SNCI and will not result in loss of habitat for which the SNCI is designated.
- Recommend a Landscape and Ecological Management Plan (LEMP) is submitted regarding the location of proposed enhancements of native and wildlife friendly species to be planted on and within the site boundaries and management.

4.7 **Environment Agency** - No objection, subject to condition.

4.8 **Environmental Health** - No objection subject to conditions.

4.9 **Flood Authority** - Response received, no comments.

4.10 **Highways** - No objection, subject to conditions.

- Continued use of existing access acceptable.
- The proposals for the car park are acceptable.
- Cycle parking is acceptable.
- Site is in a sustainable location.
- Plans should include an area for deliveries relating to the Lido and café so as to keep the car park free from obstructions.
- Construction Management Plan required.

4.11 **Historic Buildings Officer** - Support.

- Well considered design that will introduce a good quality modern building that responds well to its context into the townscape. Choice of bricks, brick bond and mortar will be crucial, recommend a condition to provide a sample panel for the walls.

4.12 **Historic England** - Response received, no comments.

4.13 **Landscape** - Comments.

- The building is highly successful in form and materials, which sets a high bar in terms of quality for the landscaping to follow.

- Aspirations for enhancements to the landscape appear to have been lost as the scheme has evolved since the pre-application stage, which may be due to financial constraints.
- A focus at the pre-application stage was the opportunities around creating an improved shared space within the car park area, which could be used for multiple activities (eg markets), however the car park is remaining as existing.
- The car park is a gateway for Arundel and the first impression of arriving at the Lido. It does not achieve any positive experience for visitors and residents or an enhanced setting for the new building.
- Introduction of new trees in the car park are an attempt to deliver an improvement in a meaningful way. There are a number of spaces not suitable for parking which could provide more meaningful tree planting. Opportunities for additional tree planting in larger pits within the car park should be explored in the absence of other improvements and potentially an alternative to some of the constrained sites proposed.
- Creation of bunds along the riverside boundary could work well, adding interest and ensure people use the edges of the site to see/experience the river.
- Grassland species proposed on site are inappropriate.
- Further information needed about how the rainwater garden would function.
- Any new 'clutter' (eg lighting columns) within the site needs careful consideration.

If minded to approve suggest the following conditions:

- Boundary treatment materials and design, including ecological details.
- Tree pit design and maintenance of trees in hardstanding.
- A Landscape and Ecological Management Plan to deliver multiple benefits for people and wildlife.
- Detailed landscape scheme including proposed species and a planting schedule.

4.14 **Tourism Officer** - Support. Will enhance the tourism and recreational offer of Arundel.

4.15 **Southern Water** - No objection, subject to condition.

5. Representations

5.1 8 objections and 3 representations in support have been received, which raise the following:

Objections

Proposed uses

- Major material change in the use of the site.
- Greater intensity of use in a residential area.
- Increase in footfall through the Twitten in anti-social hours.
- Year round impact on amenities and during anti-social hours.
- Community hall unnecessary given existing facilities in the town.
- Proposals will fundamentally change the function of the site and the character of the locality.
- Other cultural events/venues in the Town; proposals would not have the same appeal.
- A new 'hub' should be directed to the town centre.

Noise and disturbance

- Already excessive noise and disturbance from existing use of the Lido.
- Proposed hours of use are unacceptable.
- The community hall will increase the capacity and year round use of the site; creating further noise and disturbance including late at night.
- Will exacerbate and increase the duration of noise disturbance through extended operating hours.
- Frequency and severity of noise and disturbance from events including loud live music with large numbers of people leaving en-masse, passing properties at unsociable hours.
- Unregulated disturbance from outdoor sessions such as aerobics classes.
- The café use extending outdoors will increase noise.
- Impact upon the wellbeing and privacy of local residents.

- Comprehensive study on noise and visual impact on near neighbours is required.
- Additional disturbance from increased vehicular activity during daytime and unsociable hours, including deliveries.
- 'After hours' noise complaints which have not been properly addressed.

Design

- The scale and design of the building will amplify and direct noise towards neighbouring properties; building should be re-orientated to help mitigate this impact.
- Scale of the development and negative impact on the immediate vicinity of the town.
- Design and materials used will exacerbate the noise suffered by neighbours.
- No information on the use and nature of sound attenuation measures, eg. insulation.
- Height of the proposals and negative visual impact upon neighbouring properties.

Access

- Will cause increased use of the Twitten.
- Responsibilities for the maintenance of the Twitten.
- Crowds should be directed through the Lido car park exit.
- No survey has been undertaken to assess the impact from increased number of people using the Twitten.

Other

- Amount of application documents submitted is excessive.
- Information provided is misleading and contradictory in regard to noise disturbance.
- Community consultation was not neutral or impartial and application contains incorrect statements on this.
- Lido makes a profit and the proposals aren't required for its survival.
- Need to assess that proposals are properly resourced and capabilities are in place to ensure viability.
- There will be a financial need for increased events to sustain the site.
- Should not be considered viable in the absence of further information.
- Would support a new gym but only in a single storey building with no other ancillary activities.
- More details on lighting required.

Support

- Wonderful asset to the town.
- Support for a new gym and improvements to the site,
- Support extending opening hours.
- It is a facility which appeals to all ages and visitors.
- Changing rooms need updating.
- New café welcomed.
- The Lido have acted as good neighbours.
- Will help to improve people's fitness and health.
- Much needed leisure and sports facility, including for local schools and clubs.
- It is a sustainably designed building.
- One of a very few open air Lidos in Sussex.

5.2 **Mr N Dingemans – Ward Councillor for Arundel and Walberton, Arun District Council (and SDNPA member)** - Support.

- The Lido is very popular and the improved facilities will enable much greater use of the facility throughout the year and provide a local venue; the nearest alternative facility is in Littlehampton.

5.3 **Arundel Museum** - Support. Proposals will be an important community asset and benefit the local community as well as visitors.

5.4 **Arundel GP Surgery - Support.**

- Lido already offers health activities for all age groups in the community; it offers swimming as well as other wellbeing facilities such as exercise classes;
- no similar facility within walking distance of the town;
- Lido only open for 4 months of the year, proposals offer the prospect of a whole range of other health activities year round.

5.5 Letters of support were included with the application which have not been treated as formal representations because they pre-date the application and have not been submitted directly to the SDNPA during the application process. These letters include primary schools and a college, a GP surgery, local youth and sports clubs, the District Council and district ward councillors, the Arundel and Downland Community Leisure Trust, The Norfolk Estate, Arundel Castle and Trustees, and the Arundel Chamber of Commerce. Feedback from a public consultation has also been submitted which shows support for the proposals.

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is the saved policies of the Arun District Local Plan 2003 and the Arundel Neighbourhood Plan 2014. The relevant policies are set out in section 7 below.

National Park Purposes

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

Relationship of the Development Plan to the NPPF and Circular 2010

6.4 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

6.5 The South Downs National Park Partnership Management Plan 2014-2019 is a material consideration in the determination of planning applications, as outlined in national planning practice guidance, and has some weight pending the adoption of the SDNP Local Plan. It outlines a vision and long term outcomes for the National Park. The following policies are relevant:

- Policy 1: conserve and enhance natural beauty and special qualities of the landscape
- Policy 3: Protect and enhance tranquillity and dark night skies.
- Policy 5: Conserve and enhance populations of priority species.
- Policy 9: Historic Environment
- Policy 48: Support towns and villages as economic and social hubs.
- Policy 49: Maintain and improve access to a range of essential community services and facilities.

- 6.6 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 relates to conservation areas. It requires “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”
- 6.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

7. Planning Policy

- 7.1 The following saved policies of the Arun District Local Plan 2003 are relevant:
- GEN2: Built Up Area Boundary
 - GEN7: Form of New Development
 - GEN10: Tidal flooding
 - GEN15: Cycling and Walking
 - GEN22: Buildings or Structures of Character
 - GEN33: Light Pollution
 - AREA2: Conservation Areas
 - AREA3: The Setting of Arundel
- 7.2 The following policies of Arundel Neighbourhood Development Plan 2014 are relevant:
- Policy 1: The Presumption in Favour of Sustainable Development
 - Policy 2: A Spatial Plan for the Parish
 - Policy 6: Transport, Access and Car Parking
 - Policy 8: Arundel Lido
 - Policy 10: Assets of Community Value
 - Policy 13: Buildings and Structures of Character
- 7.3 The Neighbourhood Plan is subject to a review in 2018-2019 by Arundel Town Council. This review will develop the principles and policies of the Neighbourhood Plan to guide future development. The Review is at an early stage and draft policies are not anticipated to be published until Autumn 2018 (according to the published Project Plan). Therefore, the Review is currently afforded no weight in the decision making process of this application.
- The South Downs National Park Local Plan
- 7.4 The Pre-submission version of the South Downs Local Plan (2017) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation from 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the saved policies within the Arun District Local Plan (2003), the policies within the Submission South Downs Local Plan (2018) are currently afforded considerable weight.
- 7.5 The relevant planning policies of the Submission version of the draft Local Plan are:
- SD1: Sustainable Development
 - SD2: Ecosystems Services
 - SD5: Design
 - SD6: Safeguarding Views
 - SD8: Dark Night Skies
 - SD9: Biodiversity and Geodiversity
 - SD11: Trees, Woodland and Hedgerows
 - SD12: Historic Environment

- SD13: Listed Buildings
- SD15: Conservation Areas
- SD19: Transport and Accessibility
- SD22: Parking Provision
- SD23: Sustainable Tourism
- SD34: Sustaining the Local Economy
- SD43: New and Existing Community Facilities
- SD49: Flood Risk Management
- SD50: Sustainable Drainage Systems

8. Planning Assessment

- 8.1 Development Plan policy supports proposals which aim to secure the long term future of community assets like the Lido. Broadly, the Vision of the Neighbourhood Plan supports the development of these types of facilities. More specifically, the Lido is included in policy 10 of the Neighbourhood Plan which identifies sites which are considered as assets of community value and supports proposals which would enhance their viability and/or community value.
- 8.2 Policy 8 of the Neighbourhood Plan is specific to the Lido and outlines “*The Neighbourhood Plan will support proposals for suitable additional leisure and community uses and/or community facilities at the Arundel Lido, as shown on the Proposals Map.*” Underpinning the above policies is the Arun District Council Leisure and Cultural Strategy 2013-2028 which is supportive about the Lido generally and outlines options for improving the site, such as a gym and new changing facilities. Given the relatively recent adoption of the Neighbourhood Plan policies 8 and 10 are afforded full weight in comparison to the saved policies of the Arun District Local Plan (2003).
- 8.3 The NPPF also supports the delivery of social, recreational and cultural facilities within communities. It advises planning authorities should ‘plan positively’ to ensure these are able to develop and modernise in a sustainable way and be retained for community benefit. The Statutory Duty of the National Park similarly supports the social and economic well-being of communities and the Second Purpose is also relevant to this application as well.
- 8.4 Weight has been given to the policies of the Submission draft SDNP Local Plan cited in this report, having considered them in the context of paragraph 216 of the NPPF. Policy SD43 in the draft Local Plan supports new and/or expanded community facilities provided various criteria are met. These include (a) there is a local need; (b) proposals are of a proportionate scale; (c) there has been local community engagement; and (d) proposals are accessible and inclusive to the local community.
- 8.5 In regard to criterion (a) the need for the development has been raised in objections. It has been outlined in the application that the Lido instigated Project LEAP (the Lido Extended Activities Plan) in 2015 with the objective to enhance the facilities into a ‘well-being hub’ which would be open all year. A community survey (Arundel and surrounding villages) was undertaken by the Lido between November 2015-January 2016 which demonstrated a demand for the proposed facilities, which then culminated into a Business Feasibility Study being prepared and the proposals developed further. This was also undertaken in light of the Leisure and Cultural Strategy (2012-2028) and the policies in the Neighbourhood Plan, which highlight overall support for developing the site.
- 8.6 The Lido have also secured sizeable grant funding from the Arundel Community Trust, Arun District Council, Arundel Town Council and Coast to Capital which is a Local Enterprise Partnership. A Business Plan report has also been submitted which appears to be a well thought out, particularly given the level of investment proposed. In light of all of these considerations, plus the consultee responses and policy support, it is considered that this criterion is met.
- 8.7 Criterion (b) is addressed in the design considerations below. Regarding criterion (c), the Lido has undertaken public consultation which has demonstrated support for the scheme. Regarding criterion (d), the facilities would be open for all to use and have been designed to be accessible and inclusive, such as disability access.

- 8.8 The further development of the site is supported in principle, however, the proposed uses and their scale, the design and siting of the building, plus other specific issues are assessed below. In particular, these include any impacts upon cultural heritage and the amenities of neighbouring properties. Regarding the latter, objections have been raised on a variety of issues with a focus on the issue of noise and disturbance.

Design and landscape

- 8.9 The proposed building is of a high quality and well considered design. It has taken account of the site's unique setting of being a gateway location into Arundel and indeed the National Park, and its unique edge of town location adjacent to the river close to the historic town centre, and the conservation area and listed buildings. There are also notable views of the castle.
- 8.10 The building's appearance is a contemporary approach to cultural and architectural precedents within the town, particularly the Romans (there are traces of Roman development in Arundel) and their association with baths, which provides the building with a sense of place. Its form, proportions, fenestration and use of materials create a building of high visual interest which emphasises its community or civic use, including the masonry signage 'Arundel Lido' which would face facing the car park. Its form also retains views of the castle which further contributes to a sense of place for visitors and a relationship between this heritage, the town and the Lido.
- 8.11 The siting, scale and orientation of the building is acceptable. The two storey building would be in the most appropriate location on the site to access the new facilities and being at the site entrance would also help to create a sense of arrival given the design of the west elevation. Its scale would not be unduly large for the site nor appear overly dominant within the public realm of the car park or towards neighbouring properties, which are a good distance away. In regard to views from the tow path and wider views from across the river, it would not be unduly prominent but in any event it is of a high quality design and would be appropriate in relation to the townscape and wider rural landscape.
- 8.12 The single storey element would be built on the footprint of the existing changing rooms and whilst it would be 1.3m higher this would not give rise to any impression of excessive scale and massing. Its scalloped walls would add visual interest to the form of the building and allows space for planting and outdoor showers on either side. Together, the two elements of the building create a coherent and successful design. Given the amount of brickwork proposed, it would be key to ensure a high quality brick and mortar are used.
- 8.13 Inside, the building has a satisfactory layout and windows and orientation have also been designed to incorporate a good environment as well as views of the Lido and castle beyond. The building would provide an enhanced reception area, improved changing and toilet facilities which are currently inadequate, a reasonable sized hall for events and gym.

The landscape scheme

- 8.14 It is understood that the budget for the proposals does not extend to significant improvements to any re-design of the car park, hence the limited planting within the landscape scheme. The limited works here are a key consideration of the Design and Landscape officers however there is currently not the scope to sufficiently address their concerns. Whilst the tree planting is limited it is nonetheless an improvement. New planting along the west wall of the plant room and site boundary fences would be enhanced with new planting to create more of a green wall which would be a visual and ecological improvement
- 8.15 Inside the Lido, the creation of new bunds along the north and east boundaries would provide vantage points from which to enjoy views of the river and wider surrounds and add features for children in addition to the play area. These would be created from the spoil in the construction of the building. Planting of new grasses, shrub planting and climbing plants are proposed, however, these details need further consideration via a condition. A rainwater garden adjacent to the new building would help to deal with surface water in a sensitive way and further detailed consideration of its planting could also be considered via a condition. There is a concern that the quality of the new building could be let down by the proposed

landscape scheme, however, officers believe improvements can be made through the imposition of a landscaping condition and the Applicant's planning agent has recognised this.

8.16 In regard to the scale of the building and its capacity in relation to the amenities of the area this is covered in more detail below.

Impact on surrounding amenities

8.17 It is anticipated the site would become more of a community hub given the various uses. These would involve increased activity on site as well as within the car park from people coming and going. There would be varying levels of activity on a daily basis and seasonally, for instance the pool would be used more during the summer months and is also subject to the weather. The hall would be used regularly for various classes and events and similarly the gym would be open for use throughout the day.

8.18 The existing and proposed occupancy levels are summarised in table 1 below. It is noteworthy that the capacity of the pools and grounds would be unchanged. Also, a peak capacity is stated but this may not always be reached in terms of all of the uses being at capacity at the same time. It is likely to be the case that in the winter months the pools would be used less and the focus of activity would likely be the hall and gym. The site currently operates as described in paragraph 3.2. The hours of use of the new facilities is outlined in paragraph 3.3. This shows that there would be a more extensive use of the site.

Use	Existing Occupancy	Proposed maximum Occupancy
Swimming pools/ grounds	450 in peak summer. Varies at other times of the year but c.150 for festive swim.	Unchanged- 450
Community hall	N/A	100 seated/180 standing for events.
Café	N/A	20
Gym	N/A	26
Total	450	676

Table 1: Existing and proposed maximum visitor occupancy. Note: Staff not included in the table, this is likely to be 14 people maximum at any one time, including lifeguards.

8.19 Environmental Health initially raised various queries in regard to the activities on site including the use of amplified music as well as the specification of the building. The information provided in response included details such as:

- Classes carried out in the community hall may involve some background music at a volume dependent on the event (eg yoga- quieter music and dance classes louder).
- No openable windows on the west elevation of the community hall.
- The hall would have natural ventilation with acoustic louvres to prevent noise egress.
- All mechanical ventilation plant would have noise attenuators and duct silencers.
- The gym would be a mechanically ventilated space and would not rely on open windows.
- All windows would be double glazed as a minimum.

8.20 Environmental Health do not raise an objection subject to various conditions. These are incorporated into the recommendation. They have recommended a condition for the Applicant to provide an Acoustic Report to further assess noise levels between the site and the adjacent dwellings on Queen Street. Initially, this was requested by Environmental Health prior to the determination of the application, however, following further information being provided such as the above it was recommended to the SDNPA that further detailed assessment could be conditioned.

8.21 Arguably, this information could be requested prior to the determination of the application, however, the additional information provided has given Environmental Health sufficient

information and comfort at this stage to recommend this be conditioned. In the event this assessment isn't satisfactory then the condition would not be discharged. In the event it cannot be discharged, depending on the significance of the issues, amendments to the scheme may need to be applied for. On balance, officers consider it acceptable to agree with Environmental Health's advice to apply this condition.

- 8.22 Environmental Health also recommended a condition on the hours of use. These are largely agreed with and included in condition 4. They have however recommended the hours of use exclude Christmas Day. The proposed condition does not include this aspect as the Lido has traditionally held a 'festive swim' on Christmas Day and would need the café to be open. The café is on the eastern side of the building where the building would screen it from neighbours and is not of a scale which would be harmful to the wider amenities. The Lido would also like the ability to hold a gathering in the hall on Christmas Day for particular community groups (eg elderly persons on their own). The hall, as well as the gym, would be enclosed spaces and so it is likely that noise could be mitigated through the design of the building. There is also a good distance between the building and neighbouring dwellings. It is therefore recommended that the site be allowed to operate on Christmas Day also.
- 8.23 Environmental Health have recommended a condition to require a Site Management Plan. It is arguable that given the proposed uses would, apart from the café terrace, be within the new building and noise could be minimised through its design and specification that this would not be required. The new changing facilities would also be an improvement upon the existing facilities and could help to minimise noise. However, given the new uses being introduced on site it will be important to understand and influence how they would be managed and in relation to the existing uses to avoid significant disturbance. This condition is therefore included in the recommendation.
- 8.24 Concerns have been raised in the representations about amplified music and disturbance from outdoor activities. The Lido would continue to operate as an outdoor swimming pool and the capacity of the pool and its grounds would remain unchanged. Outdoor exercise classes such as aquarobics would continue along with other activities and events. Environmental Health have recommended a condition which restricts amplification equipment which is audible outside of the site boundary. Given the open air nature of the pool the Lido could likely be in breach of this condition once imposed because of the outdoor classes which already take place. Concerns have also been raised about noise from such outdoor classes. It is considered that this issue should be considered further in more detail through a Site Management Plan which would be agreed with Environmental Health.
- 8.25 In regard to additional movement within the car park, this will depend on the time of year, the frequency of events, classes, and use of the gym, but the use of the car park within the hours specified in the proposed condition about hours of use would be acceptable. Concern has also been raised about people walking to/from the site through the Twitten, behind residential properties, particularly late at night. The Trust have outlined that it does not intend to apply for an alcohol licence for special functions and events which could help with reducing noise. The Site Management Plan could also consider how visitors could be managed and be made aware of leaving the site in a considerate way.
- 8.26 It is considered that the proposals would not have a materially significant impact upon the surrounding amenities, subject to satisfying the recommended conditions. The proposals would also not cause significant harmful overlooking, loss of light or outlook of neighbouring properties by virtue of their scale, siting and design.

Cultural Heritage

- 8.27 The siting, scale and design of the proposals would not adversely affect the setting of the adjacent conservation area or either the listed buildings within it. Replacing the existing building with the design proposed could enhance their setting. Furthermore, the wider setting of the castle is conserved given the retention of views on site, which also retains a sense of the history of Arundel and sense of place on site, which safeguard and re-inforce the cultural heritage of the Town. The Historic Buildings Advisor supports the proposals

and no objections are raised in regard to harm upon designated or undesignated heritage assets either in terms of the physical development or the proposed uses.

Ecology and trees

- 8.28 The county ecologist has not raised any concerns in regard to potential impacts on protected species and is satisfied that the works can be undertaken in accordance with condition 8 included in the recommendation.
- 8.29 The closest trees to the new building are those on the south east site boundary. The closest tree to be retained is 5.5m away. A Tree Protection Plan and Method Statement has been provided which show measures could be employed to protect this tree and adjacent trees on this boundary. Protection fencing for other trees elsewhere on site to be retained have been outlined on the Tree Protection Plan as well. The tree officer raises no objections and condition 9 is recommended.

Flood Risk and drainage

- 8.30 The Lido is at low risk of flooding from the river due to its elevated siting. The car park is at a high risk of flooding but the application proposals do not involve any new built form within this area. A Flood Risk Assessment (FRA) was submitted and has been assessed. The Environment Agency have not objected and recommend a condition which secures the mitigation measures in the FRA. Additionally, the County Flood Authority have not objected. It is considered that provided the details of condition 13 are met there is no issue in regard to flood risk.

Access and parking

- 8.31 The existing access into the public car park and its capacity are unaffected by the proposals. The proposals are likely to attract more people to the site given the additional facilities proposed, but given its sustainable location these may not all necessarily be by car. The Highways Authority have not raised an objection on the capacity of the car park or its access in relation to the new uses. They have raised a comment about managing deliveries to the site. As there is already a loading/unloading area adjacent to the site entrance it is considered that this is sufficient and the car park is also sufficiently large and of a suitable layout to accommodate deliveries.

Dark Night Skies

- 8.32 The site is close to the town centre and on the edge of the National Park, where it is outside of the Dark Sky Core, its 2km buffer zone and transition zone. Nonetheless, a sensitive lighting scheme should still be sought which addresses undue light pollution and minimises impacts upon people and wildlife, particularly bats. It is recommended that the details of external lighting and its management can be agreed via a condition. Additionally, the glazing of the building could also be reviewed through the condition regarding materials.

Community Infrastructure Levy (CIL)

- 8.33 The development would not be liable for CIL.

9. Conclusion

- 9.1 The principle of the proposed uses are supported in policy. In terms of their scale, operating hours, and in combination with the Lido they would not lead to an excessive use of the site. Concerns have been raised about a more constant use of the site throughout the year in contrast to its current more seasonal use. Given the considerations about the design and siting of the building, provided conditions can be accorded with it is considered that the proposals would not cause significant harm to surrounding residential amenities.
- 9.2 The siting, scale and design of the building is acceptable and it would make a positive contribution to the townscape without harming the wider National Park landscape or the setting of heritage assets.

10. Reason for Recommendation and Conditions

10.1 The application is recommended for approval subject to the following conditions:

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended). To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

Site Management

3. Prior to the development being brought into use, a site management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include (but not limited to) the following:

- a. Site management in respect of noise and visitor activities such as amplified music and including public address systems, tannoy, loudspeakers.
- b. Management of visitors during private or community events, eg. when guests should withdraw from the garden and how to address the quiet and organised departure of guests from the site during evenings.
- c. A Waste Management Plan identifying all waste streams and confirm how waste shall be collected, stored and disposed of.
- d. Management and maintenance of external lighting.
- e. Measures to educate visitors about the special qualities of the South Downs National Park.
- f. Management of deliveries.
- g. Use of machinery on site.

The Site Management Plan shall be implemented in accordance with the approved details and adhered to in the operation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is managed in an environmentally sensitive way in the interests of local amenities and the character of the area.

Hours of Use

4. Excluding the permitted new changing room facilities and the existing pools and grounds, the development hereby permitted shall only be used by visitors between the following times:

Community Hall

09:00 hours to 21:00 hours Monday to Friday; 10:00 to 22:30 on any Saturday and 10:00 to 21:00 hours on any Sunday, Public or Bank Holiday.

Community Hall Gym

06:30 hours to 21:00 hours Monday to Friday, but with no amplified music/voices before 07.15 hours, or later than 20:00 hours; 08:00 hours to 18:00 hours on any Saturday; 08:00 hours to 16.30 hours on any Sunday, Public, or Bank holiday.

Café

08.30 to 20:00 hours on any given day.

Reason: In the interests of local amenities and the character of the area.

Materials

5. No development shall commence unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and

finishes to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

Landscape

6. Notwithstanding the details provided, no development shall commence until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a. Written specifications (including cultivation and other operations associated with plant and grass establishment),
 - b. Planting methods, tree pits & guying methods,
 - c. Details of the location and schedule of plants and trees, noting species, planting sizes and proposed numbers/densities where appropriate,
 - d. Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
 - e. A schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation,
 - f. Details of all hard-surfaces, such as paths, access ways, seating areas, patio areas and parking spaces, including their appearance, depth and permeability.
 - g. A timetable for implementation of the soft and hard landscaping works.
 - h. Details of all fencing, gates or other means of enclosure.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties.

7. No development above slab level shall be commenced until a detailed scheme of biodiversity enhancements to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity on site.

8. Prior to commencement of any works, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented as approved. The Plan shall include (not necessarily exclusively) detailed planting proposals, detailed working methodology for carrying out works to site boundary areas including planting and landscaping, detailed biodiversity enhancement plans, and plan for ongoing management of the boundary areas. All measures shall accord with recommendations of Table I and section 6.3 of the Extended Phase I Habitat and Daytime Bat Survey (Sedgehill Ecology Services, August 2017) and of the Addendum for Aldo Lido Extended Phase I Habitat Survey (May 2018) and the plan should be produced by a qualified ecologist.

Reason: To ensure ecological impacts are avoided and to secure ecological enhancements.

9. The development hereby approved shall be carried out in accordance with the Arboricultural Report AL/PJE/117/17 and Tree Protection Plan AL/TPP/117/17 submitted to the Local Planning Authority. The outlined protective measures including fencing and ground protection shall be installed prior to any demolition, construction or groundwork commencing on the site and photographic evidence of tree protection

measures being in place shall be submitted to the Local Planning Authority before works commence.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area.

Construction Management Plan

10. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- a. An indicative programme for carrying out the works.
 - b. The anticipated number, frequency and types of vehicles used during construction.
 - c. The method of access and routing of vehicles during construction.
 - d. The parking of vehicles by site operatives and visitors.
 - e. The loading and unloading of plant, materials and waste.
 - f. The storage of plant and materials used in construction of the development.
 - g. The erection and maintenance of security hoarding.
 - h. No burning of demolition or construction materials on site.
 - i. The provision of wheel washing facilities.
 - j. The arrangements for public consultation and liaison during the construction works.
 - k. Measures to minimise the noise (including vibration) generated by the demolition/construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers.
 - l. Details of any flood lighting, including location, height, type and direction.
 - m. Measures to control the emission of dust and dirt during demolition/construction.
 - n. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - o. A method to record the quantity of recovered material (re-used on site or off site).

Reason: In the interests of highway safety and the amenities of the area.

11. No development shall commence until the Applicant has submitted to and approved in writing by the Local Planning Authority an Acoustic Report to predict noise levels at the nearest residential boundary and façade, expressly to include 'nearest premises 'The Maltings' (in the garden to Number 2 Queen Street);' premises north of the river and opposite openable windows to the proposed community hall, café and gym facility; Yew Tree Cottage and premises circa 18a Queen Street. Such an Acoustic Assessment shall consider (but not be limited to):
- a. The type and location of likely events, such as parties and exercise classes etc intended to be carried out in and outside the community hall and/or gym, (exempting any direct pool/poolside use) and whether there will be amplified, or background music with or without the use of microphones/loud voices to provide instruction/other.
 - b. The noise output of any mechanical ventilation systems, including to the cafe and gym to be specified; as well as the noise output of the now to be enclosed pump room, (given the early hours of operation of this unit).
 - c. A scheme which specifies mitigation measures to be put in place for control of noise emanating from the site.

The use shall not commence until the approved scheme has been fully implemented. Such works shall be maintained thereafter.

Reason: In the interests of the amenities of neighbouring residential properties.

Lighting

12. No development shall commence until details of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority. The lighting shall comply with the Institute of Lighting Professionals guidance. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the character of the countryside and the Dark Night Skies Reserve, which is a special quality of the South Downs National Park and limit any impact upon wildlife and the amenities of surrounding properties.

Flood mitigation and drainage

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (December 2017) and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than 3.23 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

14. No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal and an implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved details. The building shall not be brought into use until the drainage system has been implemented in accordance with the agreed details, which shall be retained thereafter.

Reason: To ensure satisfactory provision of foul water drainage.

15. No development shall commence until details of the measures which will be undertaken to protect and divert the public sewers and water apparatus, have been submitted to the Local Planning Authority and, in consultation with Southern Water, approved. The approved details shall thereafter be implemented.

Reason: To ensure satisfactory provision of foul water drainage.

Contamination

16. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

Other

17. Prior to the installation of the kitchen facilities, details of grease traps/separators to be installed to manage kitchen waste shall be submitted to and approved in writing by the Local Planning Authority. These installations shall thereafter be maintained. Grease traps must be British Standard compliant; these standards can be found in Building Regulations, Approved Document H.

Reason: To manage the discharge of kitchen waste from the site.

11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

TIM SLANEY

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South Downs National Park Authority

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Appendices 1. Site Location Map

SDNPA Legal Services, Development Manager.

Consultees

Background

Documents

All planning application plans, supporting documents, consultation and third party responses

<http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PI7WS3TUGT600>

South Downs National Park Local Plan

<https://www.southdowns.gov.uk/planning/national-park-local-plan/>

Saved policies of the Arun District Local Plan (2003)

<https://www.arun.gov.uk/2003-local-plan>

Arundel Neighbourhood Plan (2014)

<https://www.arun.gov.uk/2003-local-plan>

National Planning Policy Framework (2012)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

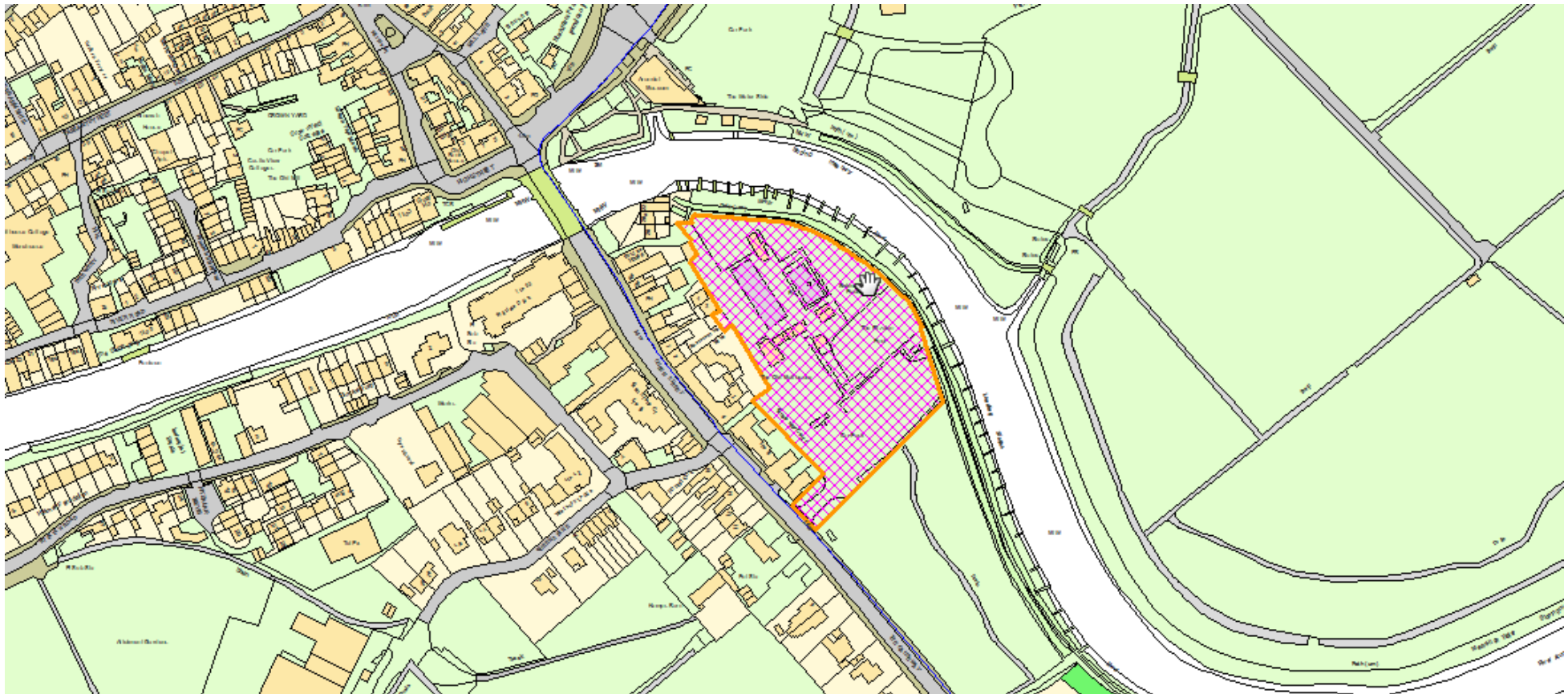
South Downs National Park Partnership Management Plan 2013

<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>

South Downs Integrated Landscape Character Assessment 2005 and 2011

<https://www.southdowns.gov.uk/planning/planning-advice/landscape/>

Site Location Map



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