

PLANNING APPLICATION REPORT

**REF NO:** BR/270/18/PL

**LOCATION:** 18-20 London Road  
Bognor Regis  
PO21 1PY

**PROPOSAL:** Part conversion & extension of existing building to provide 6 No. additional storeys over existing rooftop to provide up to 104 No. student residential units with access from Bedford Street, associated servicing & ancillary accommodation, entrance & new internal stairs to existing building to provide access from Bedford Street. This application may affect the setting of listed buildings & the character & appearance of nearby conservation areas.

### SITE AND SURROUNDINGS

#### DESCRIPTION OF APPLICATION

The application proposes to part convert the existing Wilko's building and then extend above it with a part 1 and part 5-6 storey extension providing for 104 student residential units. The following is a summary of the works and uses by floor:

- (a) Wilko's Store Ground Floor - part conversion to provide new pedestrian entrance from Bedford Street including lobby, new stairs and lift. Some structural alteration of the perimeter of the existing shop floor areas;
- (b) Wilko's Store First Floor - part conversion of less than a third of the floorspace to provide 5 bedrooms with 1 shared kitchen, bin store, cycle store, cleaners store and office/post room;
- (c) Wilko's Store Roof - the ground floor of the new extension comprising 23 new bedrooms, 6 shared kitchens, 3 stores, laundry room, new plant room and external landscaped courtyard space. Wilko's will retain their existing second floor storage at the London Road end);
- (d) New Extension First Floor - 17 new bedrooms, 5 shared kitchens, 3 stores. Flat roof to the single storey element on the east side of the roof;
- (e) New Extension Second Floor - 17 new bedrooms, 5 shared kitchens, 3 stores;
- (f) New Extension Third Floor - 17 new bedrooms, 5 shared kitchens, 3 stores;
- (g) New Extension Fourth Floor - 17 new bedrooms, 5 shared kitchens, 3 stores; and
- (h) New Extension Fifth Floor - 6 new bedrooms, 1 shared kitchen, 2 stores. Also including protected external access across the roof to an existing staircase on the northern side of the building in case of emergency. New plant will also be located on the roof.

The new extensions vary in height with only a single storey flat roofed (4.2m) increase to the London Road frontage (and set back from the roof edge by 5.3m). The main bulk of the extension is to the Bedford Street side of the roof and this will be a total of 28.3m in height (albeit noting that the extension is 5-6 storeys high and that the 6th storey (fifth floor) represents less than the area of the 5th storey (4th floor)). These tall extensions will be built right up against the Bedford Street end of the roof but will be set back from the London Road roof edge by 26.4m thus minimising any impact on the pedestrianised shopping street. The total height of the extension is only marginally higher than the height of the lift overrun on the adjacent Morrisons Car Park which is approximately 26m high.

Access for new residents will be from Bedford Street and part of the built frontage here will be a glazed stair core in the south west corner. All flats are to be designed to be accessible to wheelchair users with four flats purpose designed to flexibly meet the requirements of Approved Document Part M and include bespoke wheelchair accessible bathrooms and kitchens.

Members should note that whilst the proposal is to provide student accommodation, there remains a possibility that within the lifetime of the proposal there may be requirement for a change of use and that under the terms of the proposal, the building could be occupied as some form of House in Multiple Occupation (HMO). The applicant wishes to keep their options open as to the end use and therefore have requested that a condition not be imposed to restrict the use to student accommodation.

SITE AREA	0.12 hectares.
RESIDENTIAL DEVELOPMENT	N/A.
DENSITY	
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the development.
BOUNDARY TREATMENT	None.
SITE CHARACTERISTICS	The site is a building of predominantly two storeys with a third storey on the London Road frontage. It has retail use at ground floor and offices/storage above. The roof is currently used for ventilation plant and the service lift over-run. The building has a shop front to London Road but is rendered to the remaining elevations. There is no allocated parking but the site is close to town centre public car parks. Pedestrian access to the site is achieved from London Road and Bedford Street. A vehicle drop off point is located to the rear of the property on Bedford Street and deliveries occur during the night.
CHARACTER OF LOCALITY	Part of the main retail area of Bognor Regis town centre. This

section of London Road is pedestrianised and is home to mostly retail properties. Bedford Street to the rear is characterised by rear service areas of commercial premises and by Morrisons & its associated car park to the west.

Immediately neighbouring uses include Superdrug and Specsavers both of which have first floor offices. There are no residential properties immediately adjoining the site.

London Road is typically low rise of between 2 and 3 storeys but there is a 5 storey car park above Morrisons to the west and then the large residential tower block, Fitzfleet House further to the west.

## RELEVANT SITE HISTORY

PAA/31/17/ The construction of student residences over the rooftop Approve Pre App  
22-03-17

The application was subject to pre-application advice in March 2017. This concluded that were it to be supported by certain documents and with the inclusion of cycle storage facilities, then it would be likely to gain the support of planning officers. It was requested the applicant provide a lighting assessment, sunlight/shadow assessment, details of bin storage/collection, street scenes, structural survey, a transport statement and accommodation management plan.

It was requested that the applicant carry out a community consultation exercise. The supporting documentation to the application confirms that this happened and that this consisted of the following:

- (1) Briefing Meeting with the Bognor Regis Town Centre Manager (13/06/17);
  - (2) Public Consultation Event (07/07/17) - advertised by flyers to 1,300 homes & businesses in the local area and by email from the Town Centre Manager. The local MP, and all Town and Ward Councillors were invited by individual emails to a preview session as well as the main event; and
  - (3) Article published in the Bognor Regis Observer on 12/07/17 and on their Facebook feed including a commentary of the details provided at the public exhibition.

The applicant states that the vast majority of those who attended were supportive of the proposals and the only concerns were as follows:

- (a) Fire safety especially in light of the very recent (at that time) Grenfell Tower fire;
  - (b) Student parking and on street parking congestion and as result of the proposals; and
  - (c) Disruption for existing residents in the area.

In response, the applicant states that:

- (a) Fire resistant/retardant materials will be used and the facilities will include fire alarms to meet current regulations;
  - (b) It is intended the proposals will be car free and students will not be allowed to bring their cars to the town unless they can demonstrate that they are eligible for an on-street permit. This will be monitored by the accommodation manager and penalties can be imposed if necessary; and

(c) Construction activities will be monitored and controlled through a construction management plan and appropriate planning conditions which will regulate the hours of construction work. Vehicle movements will be monitored and managed. The contractor will enter into the Considerate Contractor Scheme. A site manager will be available as a point of contact to address any day-to-day concerns arising. The premises will be operated in accordance with a student management plan. Any concerns for neighbouring residents should be addressed to the on site warden in the first instance.

## **REPRESENTATIONS**

### **REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

**NO OBJECTION:** Whilst the Town Council support of BR/270/18/PL they respectfully request any developer contributions are put towards enhancements being made to Bedford Street, such as lighting in keeping with the surrounding area, to improve the safety and security of residents. These enhancements should also include Fitzleet multi-storey car park.

The Town Council were notified of changes made to the Bedford Street elevations but wrote to say this did not change their opinions on the application.

Three letters of support and two letters of objection.

The supporters comments are:

- (1) Proposal makes absolute sense due to the expansion of the University;
- (2) Its vertical nature on an existing town centre building utilises space efficiently;
- (3) The town centre commercial area will benefit from increased trade from the new residents;
- (4) Suggest conditions re external CCTV to monitor behavioural issues and provision of cycle storage;
- (5) Students will be in easy walking distance of Bognor campus and very close to rail/bus so no need for parking;
- (6) Proposals retain any asthetic impact to the high street; and
- (7) Proposal that tenants are not able to own cars show good thought for existing residents.

The objectors concerns are:

- (a) Is there not a height restriction for such a historic town to maintain its distinctive character?;
- (b) Height of the building is not in keeping with the rest of the environment;
- (c) Overdevelopment of plot;
- (d) The height of the building presents a fire risk; and
- (e) Lack of parking/facilities for the amount of residents with regard to doctors, dentists and hospitals.

### **COMMENTS ON REPRESENTATIONS RECEIVED:**

The Town Council requested enhancements to Bedford Street to improve safety/security of residents. The Council's Estates department advised that the pedestrian walkway on the north west side of Morrisons has recently had improved LED lighting and that the Morrisons car park lighting is generally on at night thus ensuring lighting around the building. It is not considered additional lighting is required.

The comments of supporters are noted. The request for CCTV is supported by Sussex Police and a condition to require details alongside other security measures would be appropriate.

The objections are considered within the conclusions section of this report.

## **CONSULTATIONS**

Engineering Services Manager  
Engineers (Drainage)  
Engineers (structural)  
Conservation Officer  
WSCC Strategic Planning  
Sussex Police-Community Safety  
NHS Coastal West Sussex CCG  
Economic Regeneration  
Environmental Health  
Natural England  
Economic Regeneration

### **CONSULTATION RESPONSES RECEIVED:**

**NATURAL ENGLAND:** No objection subject to appropriate mitigation being secured to offset the likely impact of the accommodation in combination with other residential proposals on the Pagham Harbour Special Protection Area (SPA) and Ramsar site. Require that an appropriate contribution should be made to the strategic approach to access management at Pagham Harbour.

Natural England confirm that it is appropriate for the contribution to be calculated using the same approach to student accommodation as the Bird Aware Solent strategy. This is because the site and interest features are similar to the Solent harbours, therefore it is likely that people, pets and wildlife will behave in the same way. As pets are not allowed in student accommodation and around half of major disturbance events recorded in the Solent were from dogs off leads, a 50% reduction in the tariff is appropriate. To further achieve a consistent approach, 5 student bedrooms should be treated as one residential dwelling.

**SUSSEX POLICE:** No objection but make a number of recommendations for measures to improve the security of the proposed accommodation. These are set out in full on the Council's website but include:

Entrance Doors; Windows & Glazing; Access Control System; Division of the accommodation into small secured units; Soundproofing of internal walls; Lighting; Fire escapes; Privacy measures; Security of internal services, cycle/bin stores, cleaners cupboards & plant; and Use of CCTV to cover entrances.

**WEST SUSSEX COUNTY COUNCIL HIGHWAYS:** No objection subject to a condition to secure a construction management plan. Comment that:

- Site is sustainably located in walking distance of public car parks and close to a number of sustainable modes of transport including Bognor station and a wide variety of bus services;
- Chichester University's Bognor Campus is in walking/cycling distance of the site all within the existing footway network (approximately 20 mins walk or 10 minutes by cycle);
- The TA states that tenancy leases will contain a stipulation that residents will not be car users;
- This will not always deter the use of the private car it is a useful incentive;
- Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking

restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety and therefore, would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision;

- The proposals would not be anticipated to generate any significant increase in vehicle movements which would warrant an objection in highway capacity terms;
- Within the TA some clarity is provided in relation to the construction phase of the development and the proposals will require the temporary suspension of some parking bays along Bedford Road should permission be obtained;
- The LHA considers that the site provides for safe and suitable access, and that the opportunities for sustainable transport modes have been satisfactorily taken up;
- It is not considered that the site will result in a severe residual cumulative impact on the operation of the local highway network. Therefore the proposals accords with paragraph 109 of the National Planning Policy Framework; and

**WEST SUSSEX COUNTY COUNCIL INFRASTRUCTURE:** No objection subject to a fire and rescue contribution of £1,560 being provided to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

**ADC ECONOMIC DEVELOPMENT:** Support as the proposal meets an identified need for student accommodation generated by the newly opened Tech Park at the University, and on the basis the proposal will bring footfall into the town centre.

**ADC DRAINAGE ENGINEERS:** Request a condition to secure a surface water drainage scheme. Comment that:

- The proposal is not to increase impermeable area but does not increase the number of stories;
- Because of the site constraints infiltration is not possible;
- Surface water will likely be disposed of to the surface water sewer and will need approval from Southern Water; and
- Discharge rates should not be increased and ways to decrease discharge should be examined (such as green or blue roofs).

**ADC STRUCTURAL ENGINEERS:** No objection subject to a condition to secure a full site investigation report on the existing ground conditions and a construction method statement. Require a construction management plan condition. Comment that:

- There is little information about how they intend to protect the general public during the construction phase and the limited access/egress through Bedford Street for a mobile crane;
- There are a large number of technical difficulties associated with the proposal that will need to be detailed during the design phase which should be agreed prior to any works commencing on site;
- The main issues will be a full detailed design of the new foundations and steel framing in dealing with all loads including sway resistance and deflections;
- A site investigation report on the existing ground conditions is essential irrespective of the existing foundations to the Wilko building;
- Full design and details of the protection proposals for users of the surrounding buildings as well as Wilko is essential; and

**ADC ENVIRONMENTAL HEALTH:** No objection subject to a construction environmental plan condition and a condition to ensure the development is carried out in accordance with the acoustic assessment.

**ADC HMO OFFICER:** No objections. States that:

- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary;
- Room sizes should meet minimum standards for houses in multiple occupation as flats are intended to be rented;
- Any property that has 5 or more people sharing facilities requires a license from the Council and the property must meet minimum standards;
- Bathrooms/ensuites without windows for natural ventilation should have adequate mechanical ventilation;
- Bin stores need to be appropriately managed particularly with this type of internal arrangement to ensure they are cleaned, maintained and do not allow build of waste to help prevent any potential public health issues; and

ADC CONSERVATION OFFICER: No objections. States that:

- The proposed development is substantial in nature, and as such has the potential to be visible from a different number of locations. Bognor Regis has a substantial amount of heritage assets within the town including conservation areas, listed buildings and locally listed buildings;
- Of note is the fact that the application site is located close to several Buildings of Character, it is approximately 100m from a Grade II Listed Building (The William Hardwicke, High Street); and approximately 150m from the edge of The Steyne Conservation Area;
- The conservation area is mainly focused around the two squares; Waterloo and the Steyne. These squares are flanked by nearly continuous, street fronted, development. Whilst there is a variety in age, style and size of buildings, they are generally 2/3 storeys high;
- It is considered that, due the height of the development it will be visible from within the conservation area. This opinion is confirmed by the Visual impact Assessment. The development would be read in the context of the other surrounding taller development, namely Fitzleet House;
- The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 196 of the NPPF (2018); and
- As such, you will also need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of section 66/72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

WSCC Highways, ADC Environmental Health & ADC Structural Engineers have asked for measures to be secured by condition in respect of the management of the construction process. It has been decided to combine all the requirements into one condition.

In response to the HMO officers comments, the applicant has made the following points:

- Designs have been developed to satisfy the standards required for simultaneous evacuation. Further detail will be part of the design development towards Building Regulations approval;
- Room sizes are in excess of minimum requirements as set out for HMOs, based on the 'accommodation with facilities shared by occupiers' scenario. Non-ensuite rooms are generally a minimum of 11.6m<sup>2</sup> and ensuite bedrooms are 14.5m<sup>2</sup> (12.3m<sup>2</sup> plus ensuite);
- The accommodation is designed to be in excess of HMO minimum standards;
- All bathrooms/kitchens are ventilated through a hotel style central low velocity zonal supply and extract system incorporating heating and heat recovery;
- In the event of a breakdown of the lift, bins can be taken to ground floor level (by arrangement or agreement) using the Wilko goods lift on the same floor as the bin store; and
- Provision will be included in the legal agreement to require a payment if the property were to be

occupied as a HMO and this payment would cover the Council's additional costs in collecting rubbish from the first floor.

## POLICY CONTEXT

Designations applicable to site:

Within the Built Up Boundary;  
 Bognor Regis Economic Growth Area;  
 Primary Retail Frontage (London Road);  
 Within 5km of Pagham Harbour SPA;  
 Within 2km of Bognor Reef SSSI;  
 Within 2km of Felpham SSSI;  
 Flood Zone 1;  
 Close to several Buildings of Character (on London Road);  
 Approximately 100m from the nearest Grade II Listed Building (The William Hardwicke, High Street); and  
 Approximately 150m from the edge of The Steyne Conservation Area.

## DEVELOPMENT PLAN POLICES

### Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPDM1	EMP DM1 Employment Land: Development Management
EMPSP2	EMP SP2 Economic Growth Areas
INFSP1	INF SP1 Infrastructure provision and implementation
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
ENVDM2	ENV DM2 Pagham Harbour
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
HSP4	H SP4 Houses in multiple occupation
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
WMMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Bognor Regis Neighbourhood Plan 2015 Policy 4	Reducing underuse of property in the town centre
Bognor Regis Neighbourhood Plan 2015 Policy 8	Pre-Application Consultation
Bognor Regis Neighbourhood Plan 2015 Policy 8A	Design Excellence
Bognor Regis Neighbourhood Plan 2015 Policy 8B	Car Parking

**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

**POLICY COMMENTARY**

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

**The Neighbourhood Development Plan**

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Policies 1, 4, 8, 8a and 8b of the Bognor Regis Neighbourhood Development Plan (BRNDP) are relevant.

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

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

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

The proposal is considered to comply with most of the relevant Development Plan policies in that the new building would not have a materially adverse effect on the townscape or the visual amenities of the locality and there would be no harm to amenities of nearby residential properties. The lack of parking will not result in highway safety issues and there will be no harm to the viability or vitality of the Bognor Regis town centre. There will be no harm to heritage assets in the town centre area. There is conflict with policy D DM4 in that the extension is not visually subservient to the host building.

**OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

**CONCLUSIONS****PRINCIPLE:**

Policy SD SP1 of the ALP states: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)." The site is in a sustainable town centre location in walking and cycling distance of a range of shops, facilities and services including bus stops, a large food store, schools, Chichester University, medical services and a railway station. The introduction of residential accommodation should benefit the existing town centre economy.

NPPF para 118(d) states "Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing". Para 123 states where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. Higher densities will be encouraged for city/town centres and other locations that are well served by public transport.

Policy 4 of the Bognor Regis Neighbourhood Development Plan states proposals to reuse empty/underused property above shops and commercial premises located along designated primary and secondary retail frontages will be supported..

The proposal accords with policies SD SP1 and SD SP2 of the Arun Local Plan, policy 4 of the BRNDP and with guidance in the NPPF on the efficient use of land.

#### **PLANNING POLICY ON HOUSES IN MULTIPLE OCCUPATION:**

The proposal, whilst described as student accommodation, would allow for future occupation as a HMO. It is necessary to consider ALP policy H SP4 which states that:

"Where planning applications for houses in multiple occupation (HMOs) are not already covered by permitted development rights, they will be favourably considered where the proposals contribute to the creation of sustainable, inclusive and mixed communities and meet the following criteria:

- a. Do not adversely affect the character of the area including eroding the balance between different types of housing, including family housing;
- b. Do not contribute to the generation of excessive parking demands or traffic in an area;
- c. Provide adequate areas of open space."

There is no conflict with criteria (a) as the use is in the town centre (not in a residential area) and it is not considered the addition of residential accommodation would be out of character. Criteria (b) and (c) will be addressed in the following sections of this report.

#### **IMPACT ON THE TOWN CENTRE:**

Arun Local Plan policy RET SD1 states that Bognor Regis and Littlehampton will be the main focus for major retail, leisure, commercial, office, tourism, cultural, community and residential development. Also the Council will positively welcome developments and initiatives aimed at the sustainable economic growth and social wellbeing of these centres.

It is necessary to note that ALP policy EMP SP1 states that the Council will promote the sustainable growth of the District's economy to meet the varying needs of different economic sectors and to support regeneration within the two main towns. The policy sets out support for "the provision of appropriately scaled development where such uses compliment, and are compatible with, employment/commercial uses".

It is considered the new accommodation results in increase footfall in and around the town centre which will result in a boost to sales of local shops, particularly those catering to the student demographic. A populated building in a central location adds an element of passive surveillance in times when the area is least inhabited and this can help reduce antisocial behaviour in town centres.

ALP policy RET DM1 states that town centre uses will be permitted provided that:

- (a) The proposal is of a high standard of design, materials and layout and has due regard to the character of the site and its surroundings, however this does not limit the potential for outstanding or innovative design to enhance the character of the area;
- (b) It is easily accessible by public transport;
- (c) It includes provision for access by cycle and on foot;
- (d) It includes appropriate provision to enable access for people with disabilities; and
- (e) The design incorporates crime prevention measures.

The policy goes on to say that proposals for the re-use of vacant floorspace on the upper levels for residential, commercial and community purposes will be permitted provided that:

- (a) It can be demonstrated that non retail use of the upper floor will not inhibit business needs for workspace, storage or retail expansion;
- (b) The development has no significant adverse effects for the occupiers of neighbouring properties; and
- (c) The proposal reflects the need to minimise noise intrusion.

The policy states a reduction in car parking standards will normally be acceptable provided there is no adverse effect on the levels of traffic congestion and road safety.

The proposal complies with RET DM1 as the extension has been well designed such that it enhances its surroundings and is not out of character given the presence of other tall buildings in the town centre. The site is well located with regard to public transport and the building includes disabled access features, a cycle store and measures to prevent crime & unsocial behaviour.

It is not considered the proposed partial use of the existing first floor of Wilko's will be detrimental to the existing retail use as this will remain operational and will retain a large area of storage and office space. It is understood that nationally Wilko's are seeking to reduce retail storage areas to reduce rental payments on buildings they lease. There are no residential properties to consider in terms of impact. A noise assessment has been submitted and this is considered elsewhere in this report.

Policy 4 of the BRNDP states that development proposals concerned with the reuse of empty and/or underused property above shops and commercial premises located along designated primary and secondary retail frontages will be supported.

The application includes a Solar Study which seeks to demonstrate that new extension will not result in any new shading of London Road. The study provides images showing shadows caused by the extension at certain times of the day on the 21st December (Winter Solstice) and 21st June (Summer Solstice). The study demonstrates the extension will not cast any greater shadow over London Road than existing buildings. There will be shading of Bedford Street and Morrisons Car Park when the sun is in the east. The majority of shade will be over rooftops of existing buildings. It is not considered that the extension will have any impact in terms of shading on Bognor's main shopping street.

It is considered the proposal accords with policies ENV SP1, RET SP1 & RET DM1 of the Arun Local Plan and policy 4 of the BRNDP.

## HERITAGE ASSETS:

The site is not considered to be a heritage asset. There are several non-designated heritage assets (Buildings of Character) within the town centre including several in London Road. There are two Conservation Areas within 190m of the site and Listed Buildings elsewhere in the town centre. There is potential for the development to affect the setting of these heritage assets.

Relevant Arun Local Plan policies are HER DM1 (Listed Buildings), HER DM2 (Buildings of Character) and HER DM3 (Conservation Areas). HER DM1 requires proposals protect and enhance the setting of Listed Buildings. HER DM2 does not refer to setting but seeks to protect such buildings from direct impact. Policy D DM3 lists criteria for proposals affecting the setting of a Conservation Area. In particular, proposals should not harm important views into, out of or within the Conservation Area.

In addition to the policies it is necessary to consider the policy guidance within the National Planning Policy Framework (NPPF) which sets out several steps to be taken in considering the impact on heritage assets. Paragraph 189 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. This requires that applicants provide a heritage statement or similar. Paragraph 190 states that Local Planning Authorities need to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The third step is that the Local Planning Authority must consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance this harm with the level of public benefits associated with the proposal (paras 193-196).

The applicants have provided a commentary on heritage issues in their Planning Statement and have supplied a Visual Impact Assessment which assesses the impact of the building on views from the local area. The applicant argues that:

- The proposals are some distance from the nearest Conservation Areas and it is concluded the proposals will not have any material or adverse impact upon a Conservation Area;
- The Visual Impact Assessment concludes the development will have, at worst a moderate impact but that in the case of many viewpoints, the impact will be minor or negligible;
- Areas containing important buildings are not affected;
- The proposal has been designed, in terms of materials and massing, to be sensitive to its proximity to London Road and the main built elements face onto Bedford Street; and
- The proposals will not have any unacceptable or detrimental impact upon designated or non-designated heritage assets or the setting of these.

Given there is no direct impact on heritage assets and the site is some distance from the nearest Conservation Area or Listed Building and with other existing built development in between, it is considered that harm to heritage assets will be less than substantial. This is the view expressed by the Conservation Officer. In accordance with para 196, it is necessary to consider the benefits of the proposal to the public at large. In this case the proposal will:

- Benefit the local economy by bringing in additional customers to the town centre shops and services;
- Benefit the streets surrounding the site from increased natural surveillance, reducing crime & anti social behaviour;
- Benefit the stock of family sized housing in town by reducing demand for student occupation; and
- Benefit the University of Chichester through the provision of additional accommodation.

It is considered the proposal complies with the NPPF and policies HER DM1, HER DM2 and HER DM3 of the ALP.

## DESIGN AND CHARACTER:

Policy D DM1 of the Arun Local Plan requires that the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. D DM1 requires that housing makes efficient use of land while providing a mix of dwelling types and maintains character/local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality.

ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character. D DM4 requires that extensions/alterations: sympathetically relate to and are visually integrated with the existing building in siting, massing, design, form, scale & materials; are visually subservient to the main building & provide a high standard of amenity; do not create a terracing effect where no terrace exists; and do not compromise established spatial character & pattern of the place.

BRNDP policy 8a is relevant due to this being a major development within the town centre area. It requires new development demonstrate 'design excellence' and help to establish a strong sense of place and create attractive and comfortable places to live, work and visit. This should include:

- Use of good quality materials that complement the existing palette;
- Use planting commonly found on the south coast for highway boundaries wherever possible and in keeping with the existing streetscape;
- Ensure safe access for pedestrians, cyclists and motorists;
- Provide adequate refuse and recycling storage to minimise visual impact;
- Use innovative design that is sustainable in its design, construction and operation;
- Promote high quality spaces and light; and
- Adopt the principles of sustainable urban drainage, where appropriate.

The development will increase the height of the building. The main bulk of the height is set back from the London Road roof edge such that it is unlikely the additional height will be visible from the pedestrianised area. The full height will be noticeable from Bedford Street but although the bulk is greater, the total height will be marginally higher than the highest part of the Morrisons Car Park and much lower than the tallest building in the town centre (Fitzfleet House) which is around 50m high.

Views of the extensions from these viewpoints to the west of the site will take in the rears of commercial premises which front London Road. Such views will be taken across Morrisons car park and will take in the multi-storey car park. This area to the west of London Road is not considered to be particularly attractive and although the extension will be large it is unlikely to harm the townscape from these directions. Long distance views from Station Road/High Street to the north/south will be limited and from these directions, the building should blend in with the town centre roofscape.

Notwithstanding the character of Bedford Street, the applicant has made changes to the scheme to ensure that the extension is not read as an oppressive vertical elevation and to ensure that there is transition between the rear of Wilko's and the new build above. The revised design comprises three distinct elements which come together to make a whole: the existing street level; a remodelled first floor; and new upper storeys. The design uses the remodelled first floor which is viewed in landscape to act as a transition from the existing to the new vertical extensions above. The design uses a shadow gap between the two elements to express the difference between existing and new. New windows on upper elevations are recessed or protruding.

The materials have been influenced by the context in which the site sits and materials are chosen which are similar to those found in the surroundings as to not appear out of place. White render is similar to the white masonry paint and render found in properties across the town whilst the mixed brick slip cladding relates to the predominant masonry appearance of the buildings neighbouring the rear of the plot, shades of which vary from cement greys through to buff and red variations. The render has a long guarantee such that the appearance of the building will not deteriorate due to age.

The development demonstrates a high standard of architectural principles and uses materials which reflect the surrounding area. The density of the scheme is considered to be appropriate given the sustainable location and the constraints on development such as structural load and need to minimise overshadowing. There will be an impact on the character of the townscape in this location however, it is considered that this will be a positive change to the local townscape and will create a new focal point for the Bedford Street/Morrisons Car Park area adding to the sense of place in this location

The proposal conflicts with policy D DM4 in that extensions are not visually subservient to the host building. There is no conflict with the other criteria or with policies D DM1 & D SP1 of the Arun Local Plan. There is no conflict with policy 8a of the BRNDP.

#### RESIDENTIAL AMENITY:

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. D DM4 requires that extensions/alterations: do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Regard should be had to para 127 of the NPPF which states that development should provide a high standard of residential amenity for existing and future users.

QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity".

The site does not lie in a residential area and it is not considered there are nearby residential properties that would be adversely affected by the proposals. There may be some residential conversions in upper floors of buildings fronting London Road. However, the upper floors of the extension are set well back from the London Road elevation such that adequate interface distances between residential windows are maintained. There is no conflict with policies D DM1, QE SP1 or with the relevant part of D DM4.

#### SPACE STANDARDS:

D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". The national standards do not provide any relevant standards for Houses in Multiple Occupation. It is considered regard should be had to Arun's "Standards for Houses in Multiple Occupation" (March 2019). It will be necessary for the scheme to comply with these standards if it were to be occupied as a HMO in the future. This is not a material planning consideration as it is covered by separate legislation

The applicant states that all room sizes are in excess of the minimum requirements set out for HMOs, based on the 'accommodation with facilities shared by occupiers' scenario. The non ensuite rooms are generally a minimum of 11.6m<sup>2</sup> whilst ensuite bedrooms are 14.5m<sup>2</sup> (12.3m<sup>2</sup> plus ensuite). Kitchens vary depending on the number of bedrooms they serve but exceed the standards. The layout has been designed following the requirements of the University of Chichester Student Accommodation Standard

Design Guidelines document and includes disabled friendly accommodation and spaces.

D DM1 refers to the need for compliance with the Arun Design Guide. This is to part replace D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until this Design Guide is published, there is no policy within the ALP regarding private gardens sizes. Para 127 of the NPPF states planning decisions should ensure developments have a high standard of amenity for existing and future users.

The application proposes both internal (shared living room space) and external amenity space (consisting of a podium level hard landscaped external seating area). The site is in close proximity of the beach and Hotham Park such that residents can easily access places to sit out. Residents will have access to recreation facilities at the University. Should the use change in the future to become a HMO then the residents would have access to the same external amenity areas.

The proposal complies with D DM1 & D DM2 and the guidance on amenity within NPPF para. 127.

#### HIGHWAY SAFETY AND PARKING:

Policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states: "The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking".

Policy T DM1 requires new development be located in easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities. Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

BRNDP policy 8b states that major developments should demonstrate through a Transport Assessment and Travel Plan that they do not impact on existing capacity of public highways to accommodate parking and regard should be had to seasonality of parking needs in Bognor Regis.

The application is accompanied by a Transport Statement (the Council's validation criteria requires a Statement as opposed to an Assessment and also does not require a Travel Plan for this development).

West Sussex Highways have assessed the proposal and raise no objections. They state the proposals is not be anticipated to generate any significant increase in vehicle movements which would warrant an objection in highway capacity terms. In respect of parking, they note that the Transport Statement states that tenancy leases will contain a stipulation that residents will not be car users and this should deter residents from owning a car. This is repeated in the submitted Management Plan and a condition will be imposed to enforce this plan. This will also apply should the use in future become a HMO. Due to the sustainable location, students will not need to own a car to get between the site and the University or to access shops, local services and other facilities. Highways consider the nil parking provision would not adversely affect highway safety

The Management Plan states that tenants move/out days will be staggered during summer months such that the impact on existing local pay & display parking facilities will be minimised. The application

includes a large internal cycle store such that students can cycle to and from nearby facilities whilst remaining confident of the security of their bicycle.

It is considered the proposal complies with the NPPF and the relevant policies of the development plan.

**LIGHT POLLUTION:**

ALP policy QE DM2 states: "Outdoor lighting schemes will be considered against the following criteria:

- a. No adverse impact on neighbouring uses or the wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation;
- b. Light levels being the minimum required for security and working purposes;
- c. Minimising the potential glare and spillage; and
- d. The degree to which outdoor lighting can be powered by on-site renewable sources.

Where appropriate, the Local Planning Authority will seek to control the times of illumination."

The application states they intend to minimise light pollution by automatically controlling the lights and using an appropriate average luminous efficacy. The documents state it is anticipated the building will have external lighting but this will be developed in line with the requirements of this issue (specific lighting levels and auto switch off between 23.00 and 7.00 other than safety or security lighting). It is intended to coordinate with the Council to use lighting to enhance the public realm. There is no objection from Environmental Health regarding light pollution. It is still necessary to impose a condition to secure approval of the final lighting design. On this basis, the proposal accords with QE DM2.

**NOISE POLLUTION:**

Policy QE DM1 of the Arun Local Plan requires that applications for new noise generating development be subject to pre-application advice, are accompanied by a noise report and demonstrates that there will be no impact on any areas valued for their tranquillity.

The applicant has supplied an acoustic assessment which specifies noise mitigation measures namely the use of acoustic insulation to the building including window designs, air vents and the use of rockwool as insulation. Environmental Health have appraised this document and raise no objections on the proviso that mitigation measures are enforced by a condition. The Management Plan (which will be subject to a condition) states a local agent will be provide an out-of-hours on call service (24 hours and weekends also) for tenants to report emergency issues. An on-site warden will report back on any issues that may arise. The assured standard tenancy agreement will be modified to include penalties for unsocial behaviour, smoking, noise disturbance and pollution.

It is considered that the proposal is in accordance with policy QE DM1.

**SECURITY:**

Policy D DM1 requires new development provide security measures to make places feel safer. It states this should be achieved through natural surveillance and human presence by locating buildings along public routes and spaces. With respect to crime prevention, regard shall be had in particular to the document 'Secured by Design' and the 'Safer Places - The Planning System and Crime Prevention'.

The proposal will add movement and population to the comparatively under-occupied frontage along Bedford Street and the design follows all relevant Secure By Design protocols.

Improved security on site and adjacent rooftops will occur due to passive surveillance and occupied spaces will reduce opportunity for trespass which has been an issue across rooftops on London Road.

Lighting will further aid in reducing concealed locations available for potential crime and it is proposed that path improvements are to be included with the works to include a suitable handrail barrier or posts at the pedestrian entrance to form protection from vehicle collision.

The application has been assessed by Sussex Police who raise no objections but make a series of recommendations as to the security of the building. A condition be imposed to ensure that these measures are agreed. It is considered that the proposal is in accordance with policy D DM1.

#### **WASTE MANAGEMENT:**

ALP policy WM DM1 states that new residential development, will be permitted provided that it is designed to ensure that kerbside collection is possible for municipal waste vehicles.

The waste management arrangements comprise of a dedicated bin store on the first floor of the building accessed by a lift from the ground floor. Each 'unit' of 5 bedrooms is allocated the equivalent of 240 litres of waste and 240 litres of recycling storage. Collection would be arranged privately and would entail the collection company using the lift to take bins to street level. This equates to a 16m travel distance per bin.

There is no requirement for the Council to provide this service provided the building is occupied as student accommodation. There is potential that in the future the building is occupied as a different kind of HMO. If this were the case the residents would pay Council Tax and the Council would be liable to collect the waste. The Council's cleansing manager has expressed concern at the potential for Council refuse operatives having to enter a building to collect waste and it is preferred to collect from the street. There is not enough space within the pavement to temporarily store the bins until they are emptied.

In order to resolve this the applicant has agreed to provision in a Section 106 legal agreement which, should the building be occupied in such a way as to require the Council to collect waste, will require the payment of a financial contribution to the Council to cover the additional costs of having to enter the building. This resolves potential issues with waste collection should the building change use. There are no concerns with current waste arrangements. The proposal accords with WM DM1.

#### **DRAINAGE:**

Arun Local Plan policy W DM3 (Sustainable Urban Drainage Systems) states: "To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process." BRNDP policy 8a requires development to adopt the principles of sustainable urban drainage where appropriate.

ADC Drainage Engineers have assessed the application. They consider infiltration is not possible and the surface water will likely be discharged to the Southern Water sewer as per the current situation. In view of the additional number of storeys they state that surface water discharge rates should not be increased and they recommend that green or blue roofs are considered in to slow down the rate of discharge. A condition is recommended and the applicant has agreed to this. It is considered the proposal accords with the relevant development plan policies.

#### **SUSTAINABLE CONSTRUCTION:**

Arun Local Plan 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.

The application states:

- The core of the building will act as a thermal mass, helping retain a portion of the available heat and distribute it passively through the core circulation spaces;
- Highly insulated external walls and windows (exceeding minimum standards of the Building Regulations) reduce energy usage through the life of the building;
- Mechanical heat recovery and passive ventilation strategy aim to minimise fuel usage through careful design considerations;
- The use of rockwool as the predominant insulation greatly increases thermal performance of walls

A Sustainability and Energy Efficiency Report has been provided and this state:

- There is potential for roof mounted photovoltaic array and/or air source heat pump;
- A combined heat and power installation (CHP) is potentially appropriate form of clean technology for application to the development;
- The passive building design features take the building beyond the minimum U value and air infiltration standards set out in Part L of the Building Regulations;
- Key measures that are proposed for the scheme to reduce regulated energy usage are high efficiency condensing boiler technology, factory applied insulation on domestic hot water stores, heat recovery ventilation systems, high efficiency lighting installations with occupancy and photocell controls where appropriate and an intelligent automatic control system to optimise system performance; and
- It is proposed for key energy efficiency measures to be incorporated into the design of the lift systems and for plug in and white goods.

The application is accompanied by a BREEAM Pre Assessment which concludes the building will achieve excellent status should the assumptions summarised in the Assessment be taken forwards.

On this basis and with the imposition of a condition to secure the appropriate energy efficiency technologies, it is considered that the proposal complies with policy ECC SP2.

#### **STRUCTURAL ISSUES:**

There are no policies in the development plan which discuss structural aspects of development other than in respect of either Listed Buildings or the conversion of rural buildings.

The development has been designed around the use of lightweight/sustainable materials to ensure unnecessary additional loadings are mitigated so that as much of the existing structure can be utilised and to ensure the new structure can be incorporated into the existing store with minimal impact on the shop. Modular design and construction allow for increased off-site construction.

The application has been assessed by the Councils Structural Engineer who raises no objection and states that the structural matters will be considered through the Building Regulations process.

#### **INFRASTRUCTURE REQUIREMENTS:**

Arun Local Plan policy INF SP1 states: "The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support

development to meet the needs of occupiers and users of the development and the existing community." and "Any on-site provision or financial contribution required to address unacceptable impacts must meet the statutory tests for planning obligations required by Regulation 122 of the Community Infrastructure Regulations 2010."

WSCC have requested a financial contribution of £1,560 towards the supply and installation of fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

This contribution is necessary to make the development acceptable in terms of ALP policy INF SP1, is directly related to the needs of the development (with the contributions required to meet the demands of - and mitigate the impacts of - the development), and is fairly & reasonably related in scale and kind. The Council's pooling data has been checked and there are no other contributions to this particular project. The proposal is accords with policy INF SP1.

#### PAGHAM HARBOUR:

ALP Policy ENV DM2 requires new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The Councils Cabinet subsequently approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

The site lies in designated Zone B and it was necessary to apply this requirement. Natural England have been consulted and advise it is appropriate for the contribution to be calculated using the same approach to student accommodation as the Bird Aware Solent strategy. As pets are not allowed in student accommodation and around half of major disturbance events recorded in the Solent were from dogs off leads, a 50% reduction in the tariff is appropriate. To achieve a consistent approach, 5 student bedrooms should be treated as one residential dwelling. The contribution has been calculated by dividing the number of bedrooms by 5 and then by 2. The contribution will be £9,058.40 and this will be secured by the Section 106 agreement once it has been signed. There is no conflict with policy ENV DM2

#### SUMMARY:

The development will alter the character of the local townscape however the impact will be positive and the building has been designed to minimise impacts on the area to ensure compliance with the policies of the development plan. The development will benefit the town centre through increased footfall and through better natural surveillance of existing buildings and public spaces. The development represents design excellence and helps to establish a better sense of place to what is currently essential a service access to existing commercial properties.

There is some conflict with D DM4 in that the extensions are not visually subservient to the host building. This conflict is outweighed by the benefits to the scheme. The extension is unlikely to be read as such and will likely be seen as a new building atop an existing.

This report has addressed the relevant policies of the Local Plan, the Bognor Regis Neighbourhood Development Plan and the guidance in the NPPF. There will be no harm to the town centre, to the character of the area, to residential amenity, to the existing environment and townscape or to the safety and convenience of local highways.

The application will be accompanied by a signed Section 106 Agreement securing contributions to local fire safety measures, to offset the impact of the development on Pagham Harbour and to ensure that

future waste collections arrangements are acceptable to the Council. The application is recommended for approval in accordance with the following conditions and subject to the signing of the Section 106 agreement. Members will be updated at the Meeting as to whether the Section 106 has been signed.

### **HUMAN RIGHTS ACT**

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

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

### **DUTY UNDER THE EQUALITIES ACT 2010**

Duty under the Equalities Act 2010

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

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

### **SECTION 106 DETAILS**

This recommendation is made subject to the completion of a S106 legal agreement which will concern:

#### **FIRE AND RESCUE**

A contribution of £1,560 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis. To be paid prior to commencement.

#### **PAGHAM HARBOUR**

A contribution of £9,058.40 towards the cost of delivering measures to avoid, or mitigate to an acceptable level, the harm caused to Pagham Harbour. To be paid upon the granting of the planning permission.

#### **WASTE COLLECTION:**

A financial contribution to be made by the Owner to cover the additional cost to the Council of having to collect Household Waste and Recycling from the first floor of the Development as opposed to the ground floor which would normally be the case. This financial contribution will be strictly limited to the valid and substantiated costs associated with the Council having to collect Household Waste and Recycling from

the first floor of the Development and for no other purpose. This provision shall apply if the development ceases to be used for Student Accommodation and is instead used for a purpose that requires the Council to collect Household Waste and Recycling from the Development.

## **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:

P150-P5 "Proposed Location Plan";  
P151-P5 "Site Plan Proposed";  
P610-P4 "Street Improvements Proposed";  
P201-P5 "Street Level Plan as Proposed";  
P202-P5 "Store First Floor Plan as Proposed";  
P204-P7 "Ground Floor Plan Proposed";  
P205-P6 "First Floor Plan Proposed";  
P206-P6 "Second Floor Plan Proposed";  
P207-P6 "Third Floor Plan Proposed";  
P208-P6 "Fourth Floor Plan Proposed";  
P209-P4 "Fifth Floor Plan Proposed";  
P210-P6 "Roof Plan Proposed";  
P221-P7 "Elevations North East Proposed";  
P222-P7 "Elevations South East Proposed";  
P223-P7 "Elevations South West Proposed";  
P224-P7 "Elevations North West Proposed";  
P250-P5 "Section A Proposed";  
P251-P6 "Section B Proposed";  
P255 "Street Section A - Existing and Proposed";  
P256 "Street Section B - Existing and Proposed";  
P260-P2 "Bay Elevation Proposed";  
P300-P4 "Proposed Flats Schedule";  
P500 "Typical Bedroom Layout";  
P501 "Typical Bedroom Elevations";  
P515 "Typical Kitchen Layout";  
P516 "Typical Kitchen Elevations";  
P600 "Cycle Storage Proposed";  
P615 "Refuse Strategy Proposed"; and  
P620-P1 "Landscape Proposed".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D DM4, T SP1, QE DM1, QE DM2 and QE SP1 of the Arun Local Plan.

- 3 The mitigation measures as detailed within the submitted acoustic report as a whole entitled "Vahnea Student Residences - Environmental Noise Assessment Acoustics Report" ref A1240 R01a and dated 27/09/2018 must be adhered to without compromise. In particular, the glazing

standards specified along with appropriate acoustic ventilation must be incorporated into the build and the materials used must match or better those standards quoted within the body of the report. Any deviation from the proposed planning application or any submitted alterations will need to be submitted to the Local Planning Authority for approval. In these circumstances, a further detailed noise assessment may be required to reassess the proposed alterations and the impact(s) these alterations may have upon the development. The mitigation measures as implemented must be permanently retained in good working order.

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

- 4 The development permitted shall only be carried out and occupied in accordance with the submitted "Framework Student Accommodation Management Plan" (Version 2.0) dated October 2018. The proposed mitigation measures shall be fully implemented prior to occupation of any part of the building and adhered to permanently thereafter. There shall be no deviation from these mitigation measures without approval in writing from the Local Planning Authority. This condition shall apply to any future alternative uses of the building unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that local parking facilities are not adversely affected and to protect the amenities of nearby local residents, nearby businesses and the new residents within the proposed accommodation in accordance with policies T SP1, T DM1, QE DM1 and QE SP1 of the Arun Local Plan.

- 5 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Any discharge must be at a rate no greater than the pre-development run-off values. No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it may be necessary to implement the surface water drainage system prior to commencing any building works.

- 6 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council and the Council's Environmental Health Officers & Structural Engineer). 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:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction (including details of any access by mobile cranes if required),
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation

Orders),

- details of public engagement both prior to and during construction works,
- An indicative programme for carrying out of the works,
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s),
- Safety measures to protect the occupiers of affected buildings and the general public during the construction phase
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination,
- Measures to control the emission of dust and dirt during construction,
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

**Reason:** In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

7 No development other than structural improvements to the existing building shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

**Reason:** To enable the Local Planning Authority to control the development in detail in the interests of visual amenity the character and appearance of the town centre area by endeavouring to achieve a building of visual quality in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.

8 The development shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems in accordance with the recommendations of the submitted Sustainability and Energy Efficiency Report (or as otherwise agreed). The approved scheme shall thereafter be implemented prior to occupation of the building and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

**Reason:** To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

9 No external lighting shall be installed on the building or site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 or updated standard. The lighting approved shall be installed and shall then be maintained in accordance with the approved details.

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

10 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by 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.

- 11 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.
- 12 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the following provisions:

#### FIRE AND RESCUE

A contribution of £1560 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis. To be paid prior to commencement.

#### PAGHAM HARBOUR

A contribution of £9,058.40 towards the cost of delivering measures to avoid, or mitigate to an acceptable level, the harm caused to Pagham Harbour. To be paid upon the granting of the planning permission.

#### WASTE COLLECTION:

A financial contribution to be made by the Owner to cover the additional cost to the Council of having to collect Household Waste and Recycling from the first floor of the Development as opposed to the ground floor which would normally be the case. This financial contribution will be strictly limited to the valid and substantiated costs associated with the Council having to collect Household Waste and Recycling from the first floor of the Development and for no other purpose. This provision shall apply if the development ceases to be used for Student Accommodation and is instead used for a purpose that requires the Council to collect Household Waste and Recycling from the Development.

- 13 INFORMATIVE: This property will, when occupied, become a House in Multiple Occupation and will need to comply with the relevant fire safety and fitness for occupation standards under current Housing Acts. The applicant is advised to contact our Environmental Health Private Sector Housing Team for further information.
- 14 INFORMATIVE: In the interests of crime prevention and deterrence, the development should

incorporate security measures in accordance with the consultation advice of Sussex Police as available on the Councils website.

- 15 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 our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

**BR/270/18/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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