

Head of Planning
Development Control
Arun District Council
Maltravers Road
Littlehampton
West Sussex
PO22 9NW

For the attention of Mr Michael Eastham

Our ref: JMS/Greggs/Bognor Regis

18 June 2021

Dear Sir/Madam

Unit 5, Saltbox, Shripney Road, Bognor Regis, West Sussex
Non-material amendment of planning permission BE/135/18/PL on behalf of Greggs Plc

I act on behalf of Greggs Plc which wishes to occupy Unit 5 of the above permitted scheme. Accordingly, I am instructed to submit a planning application for a non-material amendment (NMA) to amend Condition 32 attached to the planning permission for *'Hybrid application comprising of Outline application for the principle of employment uses B1-B8. Full Application for Class B8 warehouse with fuel-island and car parking (Unit 2), 2 No. Class B1/B8 employment units with associated parking and servicing (Units 6 and 7), Class A1 retail food store with car parking and servicing (Unit 8), 2 No. drive thru units with car parking and servicing (Units 4 and 5), car showroom, workshops (including MOT testing), vehicle storage, external display areas, service areas and parking (Unit 9) together with access roads, associated ground and engineering works, landscaping and ancillary works. This application affects the character and appearance of the Shripney Conservation Area and a Public Right of Way'* LPA ref: BE/135/18/PL, granted on 7 November 2019.

Condition 32 of the above permission currently states:

"The drive-thru restaurants in Unit 4 and Unit 5 shall not open to the public except between the hours of 7.00 -23.00, Monday to Saturday and 8.00 - 20.00 Sundays and Public Holidays.

Reason: To protect neighbouring amenity and to discourage anti-social behaviour, in accordance with Policy D DM1 of the Arun Local Plan."

The Applicant wishes to amend the Condition to allow Unit 5 (drive thru 2) to open for trading from 6:00am Monday to Saturday (i.e. to open 1 hour earlier weekday/Saturday mornings). The Applicant therefore seeks a change to the wording of Condition 32 of the full permission as follows:

"The drive-thru restaurants in Unit 4 and Unit 5 shall not open to the public except between the hours of 06.00 - 23.00, Monday to Saturday and 8.00 - 20.00 Sundays and Public Holidays.

Designated officer
Valley Farm
Purbitheugh Road
Arun
PO22 9NW

Company No. 08430029



Reason: To protect neighbouring amenity and to discourage anti-social behaviour, in accordance with Policy D DM1 of the Arun Local Plan."

No other changes to the permission are sought.

It is an operational requirement of Greggs for its units to open from 6.00am during the week to service customers requiring early morning sustenance. The following documentation is therefore attached, which forms the planning application for the amending of Condition 32 attached to the above permission:

- The planning application, signed and dated;
- Site Location Plan (dwg ref. 1744-P04); and
- Site Master Plan Block Plan (dwg ref. 1744-P01-C).

Please note the relevant planning application fee has been paid directly via the Planning Portal.

In addition to the enclosed above, I would be grateful if you could take into account the contents of this letter in your assessment of this application.

Greggs Plc

With over 2,000 shops, nine centres of excellence and some 20,000 employees who serve millions of customers each week, Greggs is the UK's leading bakery food-on-the-go retailer. The Company started some 80 years ago when a John Gregg started out with the goal to deliver, by bicycle, fresh eggs and yeast to families in Newcastle. 10 years later he opened Greggs of Gosforth on Gosforth High Street, which remains a Greggs to this day.

Greggs donates one percent of its pre-tax profits to the Greggs Foundation and distributes around £3.0 million to community and charity organisations throughout England, Scotland and Wales. A significant proportion of the Greggs Foundations' impact is also achieved with the generosity of Greggs' employees and customers. The Foundation brings together all of Greggs charitable groups which has a long and rich history. It is managed by an executive team of currently seven members of staff and overseen by a Board of Trustees, with the charitable mission of '*making a difference to people in need in the heart of Greggs' local communities*'.

The Foundation prioritises organisations that support voluntary careers, people with disabilities, homeless people, and older people. The Foundation aims to make a difference through the provision of five main grant programmes; North East Core Funding Grant, Local Communities Project Fund Grant, Environmental Grant, Hardship Fund Grant and Breakfast Clubs, which share the common goal of improving the quality of life of people in local communities.

Greggs Operation, Saltbox Business Park

The proposal seeks to amend the operational hours as set out under Condition 32 of permission BE/135/18/PL of Unit 5 only and has been considered with due regard to the other occupants of the business park and ensuring workers on the estate and in the wider area can pick up food before their work starts.



Site & Surrounding Area

The Saltbox Business Park is located on the northern edge of Bognor Regis, approximately 3.0 km north of the town centre, 2.5 km east of North Bersted and less than a kilometre south of the village of Shripney.

Phase 1 of the Saltbox Business Park is currently under construction and consists of industrial/warehouse development, roadside car showroom, foodstore, and drive-thru restaurants.

Unit 5 is one of the two proposed drive-through units on site, with the second unit proposed to be occupied by Starbucks.

Planning History

Planning application with LPA ref: BE/135/18/PL was granted on 7 November 2019 for a B1-B8 development as well as 2 No. drive thru units with car parking and servicing (Units 4 and 5). Unit 5 is the subject of this application.

The relevant planning history pertaining to Unit 5 on site includes:

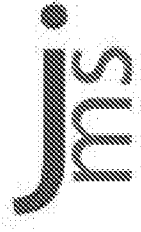
- BE/57/21/A - Various internally illuminated & non illuminated advertisements. Under Consideration.
- BE/56/21/PL - New drive-thru unit, 2 No. air conditioning condenser units, extract vent & fixed outside seating. This site is in CIL zone 2 (Zero Rated) as other development. Withdrawn on 13 May 2021.

Planning Policy

The revised National Planning Policy Framework (NPPF) was last updated in June 2019 and constitutes guidance for local planning authorities and decision-takers.

Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and where there are opportunities for development.

Paragraph 81 goes on to say that planning policies should set out clear an economic vision and strategy which positively and practically encourages sustainable economic growth having regard to local industrial strategies and other local policies for economic development and regeneration; set criteria to identify strategic sites for local inward investment to match the strategy and meet anticipated needs over the plan period; seek to address potential barriers to investment; and be flexible enough to accommodate the needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances. In addition, planning policies and decisions should recognise and address the specific locational requirements of different sectors (paragraph 82).



Local Policy

The Development Plan for the site comprises of the Arun Local Plan 2011-2031 and the Bersted Neighbourhood Plan 2014.

Policy EMP DM2 (Enterprise Bognor Regis) seeks to promote economic growth in Bognor Regis and the wider Coastal West Sussex sub-region. EMP DM2(k) states that any non-B class uses on the site are required to be of a scale and nature so as not to generate levels of traffic, cause environmental impacts or involve noise sensitive uses that adversely affect the operations of B-Class employment uses on the site.

Local Plan Policy D DM1 (Aspects of Form and Design Quality) sets out the requirements or proposals to ensure high standard design quality in all proposals. In terms of impact of proposals on neighbouring amenity, point 3 states that all proposals should have minimal impact to users and occupiers of nearby property and land by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

Policy QE SP1 (Quality of the Environment) requires all development proposals to contribute positively to the quality of the environment. Policy emphasises that all developments should not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors. Policy emphasises that noise sensitive development will not be permitted if users would be affected by noise produced by industrial, commercial uses or any other noise generating uses.

Planning Issues

As set out in the introduction to this letter, it is requested that Condition 32 of permission BE/135/18/PL is amended to enable a slightly earlier opening time in the morning. The reason for the imposition of the original planning condition as set out in the decision notice is:

"To protect neighbouring amenity and to discourage anti-social behaviour, in accordance with Policy D DM1 of the Arun Local Plan".

Notably, in the determination of application BE/135/18/PL on site, noise pollution arising from the proposed uses were considered. In regard to Units 4 and 5, the officer's report states, 'A condition is required restricting the opening hours of the drive-thru restaurants in Units 4 and 5, to discourage anti-social behaviour which could then potentially have a detrimental impact on local residents.' It is understood that this potential anti-social behaviour was principally in reference to potential late-night activity.

It is not considered that the opening of the site for an additional hour on weekday/Saturday mornings from 06:00 to 07:00 will give rise to any likely increase in anti-social behaviour. In this regard, Unit 5 is proposed to be immediately surrounded by commercial uses with an Aldi food store and two trade units with associated car parking spaces to the north, Starbucks's drive-thru to the east, car showroom to the south and B8 warehousing/distribution unit to the west. Beyond the immediate environs within the Saltbox Business Park, the site is surrounded by a green buffer between the site and Shripney village. As such, no residential uses are located in the immediate vicinity of Unit 5 which would be prejudiced by extended opening hours, in the morning.



Notably, delivery and servicing for Unit 4 and Unit 5 have been allowed to take place between the hours of 6.00-23.00 Monday to Saturday and 8.00-18.00 Sundays as set out in Condition 39 of the full planning permission, which states:

'No machinery shall be operated in Unit 4 or Unit 5, no process shall be carried out no deliveries taken at or dispatched from the site except between the hours 6.00-23.00 Monday to Saturday and 8.00-18.00 Sundays.'

In addition, Unit 8 which is occupied by Aldi has a similar restriction of delivery hours. As such, the proposed opening times will be in line with the approved operational requirements of the site. On this basis it is considered that the proposal to extend the business opening times so the unit can open from 6.00am Monday to Saturday will not have an unacceptable impact in terms of amenity, particularly with regard to noise or be likely to give rise to an increase in anti-social behaviour. The benefits of a Greggs unit on site are set out above. The Company requires a 6.00am opening Monday to Saturday. It is considered this change to the relevant operative condition can occur with no disbenefits to local residents or giving rise to any adverse antisocial behaviour. The proposal therefore accords with relevant policies of the development plan, in particular policies QE DM1, QE SP1 and policy EMP DM2 as set out above and for this reason as requested to be granted.

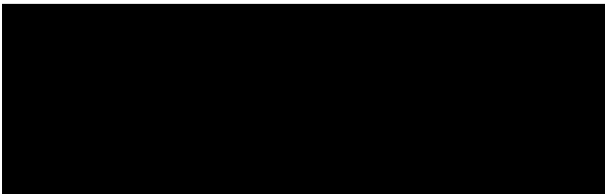
Process

We consider that the above change can be secured via a non-material amendment application. Section 96A of the Town and Country Planning Act 1990 states that the power to make non-material changes to planning permissions *"includes power – (b) to remove or alter existing conditions"*.

Therefore, an NMA is wholly appropriate in this instance as the proposed amendment is minor in nature and relates purely to the wording of Condition 32 of the full planning permission. The proposed amendment is non-material as it will have no material effect on third parties, nor does it alter the conclusions of the reports submitted with the approved scheme. The substance, nature and scale of the development remains as approved.

I trust you find the enclosed application in order and I look forward to receiving confirmation of registration of the application in due course. In the meantime, should you wish to discuss the application further, please do not hesitate to contact me at this office 

Yours sincerely



Julian Sutton
JMS Planning & Development

Encs