



Planning Statement

58 High Street, Bognor Regis, PO21 1SP
On behalf of Merkur Slots (UK) Ltd

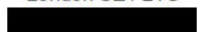
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Report Reference:

8765

Executive Summary

This Planning Statement has been prepared on behalf of Merkur Slots (UK) Ltd ('the applicant') in support of an application for full planning permission to change the use of 58 High Street, Bognor Regis, PO21 1SP (the 'application site') from a betting shop (Sui Generis) to a 24hour daily adult gaming centre (AGC) (Sui Generis), plus minor shopfront alterations and the installation and display of advertisements, to allow it to occupy and operate from the site.

AGCs are a type of main town centre use that provide a leisure service throughout the day which in turn supports the role and function of centres. The applicant's machines generate low levels of noise, only background music is played within venues, there are no tannoy systems and unlike betting shops, no live sports events are shown. Merkur Slots customers tend to visit on their own or in couples – large groups are rare due to the nature of AGCs. No alcohol is served at the venues and Merkur Slots is regulated and licenced by the Gambling Commission and regularly subject to independent tests. The application is accompanied by various material which details and reinforce the applicant's commitment to being a responsible operator and minimising nuisance and disturbance.

The application site comprises a ground floor betting shop (Sui Generis) within Bognor Regis Town Centre, as identified within the Arun Local Plan 2011-2031 (adopted July 2018). The site was last occupied by William Hill but is currently vacant.

This Statement demonstrates that the proposed change of use will not harm the role and function of the Town Centre, but will rather enhance its vitality, benefit the evening economy and reduce vacancy rates. As such, the proposal will ultimately enhance the vitality and viability of Centre. Furthermore, this Statement demonstrates that: noise and disturbance as a result of the proposed 24hour use can be kept to acceptable levels; the well-being and safety of residents will be preserved; and the external alterations do not harm the character and appearance of the host building and wider area.

Overall, this Statement identifies the application proposals comply with the Development Plan as a whole and includes various economic and benefits. Therefore, this Planning Statement arrives at the conclusion that the proposed development is acceptable when considered against all relevant planning policy and material considerations, and should be granted planning permission subject to the imposition of the necessary planning conditions.

1. Introduction

- 1.1. This Planning Statement has been prepared on behalf of Merkur Slots (UK) Ltd ('the applicant') in support of an application for full planning permission to change the use of 58 High Street, Bognor Regis, PO21 1SP (the 'application site') from a betting shop (Sui Generis) to a 24hour daily adult gaming centre (AGC) (Sui Generis), plus minor shopfront alterations and the installation and display of advertisements, to allow it to occupy and operate from the site.
- 1.2. This Statement prescribes the site and planning policy context, and assesses the proposals against this to justify the grant of planning permission. This Statement also lists the recommended planning conditions (except the standard ones) which are reasonably necessary to ensure the proposals are acceptable in planning terms.

2. Site Context

The Application Site

- 2.1. The application site comprises a ground floor betting shop (Sui Generis) on the corner of High Street and Bedford Street within Bognor Regis Town Centre, as identified within the Arun Local Plan 2011-2031. The site was last occupied by William Hill but is currently vacant.

Figure 1: Application Site



Surrounding Context

- 2.2. The surrounding area has a mix of retail as well as some non-retail and late-night uses. The site is flanked by a vacant bank (formerly occupied by Natwest) to the west and vacant shop to the east.
- 2.3. The floor above the site is in residential use. The rear hard surfaced area to the rear of the site provides access for waste storage.
- 2.4. Bognor Regis High Street bus stop is located opposite the site and provides bus services to Chichester and North Bersted.

Planning History

- 2.5. The site has the following planning history which is relevant to this application:
- **BR/200/09/** – *Conversion of first floor offices to 2 No. flats and rear extension* – Granted 04 November 2019 and implemented.
 - **BR/136/09/** – *Installation of new glazed shopfronts & general refurbishment of existing ground floor vacant retail shop to form new licensed Betting Shop* – Granted 14 August 2009. Implemented and lawful use of the site.

- **BR/137/09/A** – 1 x externally illuminated fascia sign & 1 x internally illuminated projecting sign – Granted 14 August 2009.

3. Application Proposals

- 3.1. The application proposals involve the change of use of the existing vacant betting shop (Sui Generis) to a 24 hour daily AGC (Sui Generis) to be occupied and operated by the applicant. The proposal also involves minor shopfront alterations and the installation and display of advertisements, including the replacement of the stall riser, entrance doors and fascia as well as 4 x internally illuminated fascia signs and 2 x internally illuminated projecting signs.
- 3.2. Access is through corner entrance doors. The proposed AGC requires minimal servicing, limited to the up-keep of the machines and utilities as well as deliveries of soft drinks and snacks. Refuse and recycling is stored in the back of house area and collected by a private contractor.
- 3.3. The proposed AGC will incorporate acoustic mitigation in the form of acoustic perimeter seals installed around the door frame as well as a new double layer of 15mm thick fireboard affixed to the underside of the joists, and ensuring all junctions are sealed with non-hardening sealant. The proposals also include various security and surveillance measures identified in more detail below.
- 3.4. The proposed AGC will employ 12 staff.

4. Planning Policy Context

- 4.1. The Development Plan for the District of Arun comprises the Arun Local Plan 2011-2031 (adopted July 2018). The following Development Plan policies are key to this application:

Arun Local Plan 2011-2031

- Policy RET SP1 (Hierarchy of Town Centres)
 - Policy RET DM1 (Retail Development)
- 4.2. Material considerations include the National Planning Policy Framework (NPPF) (published December 2024).

5. Planning Assessment

- 5.1. The following matters are most relevant to the application and have been assessed against the site and planning policy context.

Principle of Development

- 5.2. Arun Local Plan 2011 -2031 (adopted July 2018) Policy RET SP1 lists Bognor Regis at the top of the town centre hierarchy. As such, it is where commercial and town centre development is to be prioritised and as such, development should diversify customer choice and aid the economic resilience of the town. Furthermore, Policy RET DM1 notes town centre development must be easily accessible by sustainable transport modes.
- 5.3. It is important to note that the introduction of Use Class E in 2020 inherently changed the role and function of town centres to one that is more led by market forces rather than being predominantly retail dominated. Indeed, units that fall within Use Class E can flexibly change purpose without constituting a material change of use, thus allowing greater opportunity for non-retail businesses to occupy within town centres. In light of this, town centre policies that predate the introduction of Use Class E and seek to preserve the dominance of retail within town centres could be considered out-of-date and the amount of weight given to them for decision-making purposes is limited. However, Policies RET SP1 & RET DM1 support a mix of retail, leisure, commercial, office, tourism, cultural and community uses within the district's town centres and as such, are considered broadly consistent with the purpose of Use Class E.
- 5.4. Nevertheless, the site does not comprise any primary frontage nor is it located within the town centre's principle shopping area. Furthermore, it is important to note that the proposal is simply substituting one form of gambling type use with another and as such, will not change the quantum and distribution of these types of uses.
- 5.5. It is also important to note that the site, together with its neighbouring units, currently create a trio of vacant commercial premises. As such, the occupancy of the site by a use which generates good levels of footfall and linked town centre trips such as the proposed (as demonstrated by the accompanying ESA Retail report) will greatly help reduce the perception of a poor performing town centre which, in particular, stems from clusters of vacant units. The proposal will additionally benefit the town centre's evening economy due to it operating during the later hours.
- 5.6. There are several existing gaming/amusement centres within the town centre, including a Cassino Amusements located opposite the site at 48-50 High Street. These contribute positively to the character of a seaside town centre such as Bognor Regis, and some are seaside amusement centres that have a different character to AGCs. The nearest AGC to the site is Admiral Casino at 32 London Road, some 160m northeast of it. Therefore, the proposal will not lead to an overconcentration of similar uses within the town centre but will rather help enhance its character.
- 5.7. The site has good accessibility to public transport facilities and is readily accessible by walking and cycling due to its town centre location. Therefore, the site comprises a sustainable location.
- 5.8. The accompanying drawings also show that the proposals will retain and not obstruct (from neither the inside nor outside) the existing shopfront windows and as such, will incorporate an active frontage and retain visual interest along both High Street and Bedford Street.
- 5.9. Overall, it has been demonstrated that the proposed change of use will not result in an overconcentration of gaming or other similar uses within Bognor Regis Town Centre nor harm its role and function. The proposal will rather enhance the centre's vitality, benefit the evening economy and reduce vacancy rates. As such, the proposal will ultimately enhance the vitality and viability of the centre and is therefore in accordance with Policies RET SP1 & RET DM1.

Residential Amenity & Noise

- 5.10. AGCs typically operate 24hours daily. Indeed, the opening hours for the Admiral Casino at 32 London Road are unrestricted and it operates 24hours daily.
- 5.11. It is important to note that Merkur Slots' noise levels are generally very low and impacts on disturbance to surrounding uses are effectively mitigated and minimal. For example, as set out in the submitted 'Working Together Planning Brochure', the machines generate low levels of noise, only background music is played within venues (similar to shops), there are no tannoy systems and unlike betting shops, no live sports events are shown. Further, Merkur Slots premises are popular amongst both males and

females, and the customer base after midnight is predominately the local entertainment workforce and shift workers who like to relax after their busy shifts. Merkur Slots customers tend to visit on their own or in couples – large groups are rare due to the offer and layout of the AGCs. As such, the nature of the use proposed would not result in adverse noise in either the day or night-time hours and the use is appropriate to the busy high street context and complies with local plan policy.

- 5.12. Notwithstanding, a robust worst-case noise impact assessment has been prepared by Archo Consulting which includes a range of surveys and assessments as follows:
- Internal noise transfer assessment using data from operational AGCs.
 - External noise breakout assessment, based on background noise surveys during the most noise sensitive part of the night.
 - Qualitative assessment of the existing noise climate and activity in the area.
 - Assessment of external patron activity and behaviour during the most noise sensitive part of the night using observations recorded at 6 operational 24-hour Merkur Slots venues (some of which contain residential above), demonstrating that Merkur Slots patrons are quiet when outside the premises.
 - Assessment of noise impacts from patrons smoking outside the premises.
 - Assessment of unpredictable noise events.
- 5.13. The noise impact assessment concludes there will be no harmful noise impacts from 24-hour daily operation on the nearest residential premises, being the upper floor flats, provided the rectification works to the property outlined in Appendix C of the assessment are implemented ensuring the limit of NR20 will be achieved. These rectification works include the following:
- Acoustic perimeter seals installed around the door frame
 - A new double layer of 15mm thick fireboard affixed to the underside of the joists and ensuring all junctions are sealed with non-hardening sealant
- 5.14. To provide further reassurance, Appendix E of the submitted noise assessment details an operational management plan which can be conditioned. Key measures include:
- The main entrance doors will not be fixed or propped open at any time whilst the premises is trading and there are customers in the venue.
 - Customers wishing to smoke will be asked to do so as quickly as possible and in a responsible and quiet manner.
 - Individuals who are deemed to be under the influence of alcohol shall not be allowed to enter the premises.
 - A notice will be placed that is visible from the exterior of the premises stating that drinking of alcohol directly outside the premises is forbidden and that those who do so will be banned from the premises.
 - Customers will be reminded to respect neighbours when they leave.
 - Staff, on request, will provide relevant information to customers who require a taxi or directions to the nearest station or bus stop.
- 5.15. Therefore, it has been sufficiently demonstrated that with the recommended acoustic mitigation, noise will be kept to acceptable levels.

Health & Well-being and Safety & Security

- 5.16. Merkur Slots ensure Secure by Design standards are met within all venues across the UK. A copy of 'Merkur Slots Secured By Design Measures' which has been prepared in consultation with Secured By Design and partner companies is submitted with the application. The measures cover CCTV, shopfront/window/doors, external lighting and alarm systems. This document can form part of a compliance condition in any forthcoming decision.

- 5.17. Further, Merkur Slots have submitted a premises licence application for this site which requires them to demonstrate adherence to the Gambling Act 2005 3 licensing objectives:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being associated with crime or disorder, or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable people from being harmed or exploited by gambling.
- 5.18. Being a responsible operator is a high priority. Merkur Slots is regulated and licenced by the Gambling Commission and has a 'Think 25 Policy' which is subject to regular independent tests in place at the site. Other measures and socially responsible gambling tools will be put in place, including staff training, annual local area risk assessments, SMARThub tablets in every venue, and a dedicated Learning & Development Team.
- 5.19. The submitted 'Working Together Planning Brochure' provides further information about Merkur Slots' offer, client-base and how it will operate. It confirms that:
- The average stake from customers is low.
 - Teams remain with customers on the venue floor rather than behind the counter.
 - Complementary refreshments, teas and coffees are provided to customers.
 - No alcohol is sold on the premises, and staff will not allow anyone into the premises who appear to be intoxicated.
 - Merkur Slots have never had a licence revoked or reviewed.
- 5.20. The accompanying Health Impact Assessment (HIA) assesses all potential health impacts, focusing on the following themes: accessibility and inclusive design, physical and active travel, air quality and noise, litter, crime, employment and training, social inclusion/wellbeing of children and vulnerable people/general mental health. It discusses potential health issues and risk factors including local deprivation levels as well as benefits and outlines mitigation and enhancement actions. The HIA highlights the importance of looking at the positive impacts of uses like AGCs (in terms of them providing a place for social interaction) rather than simply focusing on perceived negative impacts. It also highlights the importance of differentiating between gambling and problem gambling.
- 5.21. Overall, with respect to the matter of health, well-being, safe and security, it has been demonstrated that the proposals are in accordance with Arun Local Plan 2011-2031 Policies RET DM1, D DM1 & QE DM1.

Shopfront Design & Advertisements

- 5.22. The host building is not of architectural nor historical merit, and the site does not lie within a Conservation Area nor in close proximity to a listed building.
- 5.23. The proposed shopfront alterations are minor in nature and scale, and retain and enhance the existing shopfront features, including the stall riser, fascia and shopfront windows. As established above, the proposals incorporate an active frontage and will retain level access through the corner entrance doors.
- 5.24. The application site has historically benefited from internally illuminated signage as have other commercial units within this part of the town centre. Indeed, this type of signage complements the busy and commercial character of the area and individually illuminated characters do not make the proposed signage appear dominant nor harsh within the street scene. Furthermore, due to the site's corner location, the incorporation of signage on each elevation allows them to sit comfortably within the fascia without appearing cluttered. Also, the signage is located at an acceptable height to allow pedestrians to move underneath unimpeded.
- 5.25. Therefore, the proposed shopfront alterations and advertisements respect the shopfront, host building and character and appearance of the area. The proposals are therefore in accordance with Arun Local Plan Policies RET DM1, D SP1 & D DM1.

6. Recommended Planning Conditions

6.1. The following planning conditions are recommended in order to ensure compliance with the relevant national and local planning policy and to make the development acceptable in planning terms:

- The imposition of the acoustic mitigation at Appendix C of the noise impact assessment prior to the use of the development and retention thereafter.

Reason: To protect the amenities of nearby residents and noise sensitive properties in accordance with Arun Local Plan 2011-2031 Policies RET DM1 & QE DM1.

- The imposition of the operational management plan at Appendix E of the noise impact assessment prior to use of the development and utilisation and retention thereafter.

Reason: To protect the amenities of nearby residents and noise sensitive properties in accordance with Arun Local Plan 2011-2031 Policies RET DM1 & QE DM1.

- The imposition of the accompanying 'Merkur Slots Secured By Design Measures' prior to the use of development and utilisation and retention thereafter.

Reason: To ensure the safety and well-being of peoples in accordance Arun Local Plan 2011-2031 Policies RET DM1, D DM1 & QE DM1.

- The imposition of the accompanying Waste and Servicing Management Plan prior to the use of development and utilisation and retention thereafter.

Reason: To preserve the amenities of nearby residents in accordance with Arun Local Plan 2011-2031 Policies RET DM1 & QE DM1.

7. Conclusions & Planning Balance

- 7.1. This Planning Statement has been prepared on behalf of Merkur Slots (UK) Ltd ('the applicant') in support of an application for full planning permission to change the use of 58 High Street, Bognor Regis, PO21 1SP (the 'application site') from a betting shop (Sui Generis) to a 24hour daily adult gaming centre (AGC) (Sui Generis), plus minor shopfront alterations and the installation and display of advertisements, to allow it to occupy and operate from the site.
- 7.2. It has been demonstrated that the application proposals accord with the Development Plan as a whole as well as relevant material considerations.
- 7.3. This application offers various economic benefits, including the following:
- A use which will enhance the vitality and viability of Bognor Regis Town Centre, including its evening economy.
 - The occupation of a vacant unit which is currently harming the health of Bognor Regis Town Centre, particularly when considered in the context of the site's neighbouring vacant units.
 - The generation of 12 jobs.
- 7.4. On balance, this Planning Statement arrives at the conclusion that the proposed development is acceptable when considered against all relevant planning policy and material considerations, and should be granted planning permission and advertisement consent subject to the imposition of the necessary planning conditions noted above.

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