

Recommendation Report for Planning Permission

REF NO:	BR/143/18/PL
LOCATION:	6-8 Waterloo Square Bognor Regis PO21 1SU
PROPOSAL:	Change of use from vacant arcade (Sui Generis) to include A1 (Shops), A3 (Restaurant & Cafe) & A4 (Drinking Establishment) & outdoor seating area, change of ground floor external facade & installation of external bin store. This application affects the character & appearance of The Steyne Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The plans detail 5 separate units accessed either from the front or from an internal communal corridor which also leads to a rear access onto Norfolk Street. However, the application is speculative at this time and as such there are no firm details as to which uses will go where in the layout. An outdoor seating area is shown to the Waterloo Square frontage and will be under a canopy. A new 1.8m high masonry bin store is shown to the rear within a bollarded hardstanding area. Access to the upstairs flats is maintained but existing off-street parking spaces to the rear would be lost. It is also proposed to alter the front and rear elevations.
SITE AREA	512 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open to both the front and rear frontages.
SITE CHARACTERISTICS	Existing large mixed use building spread between Waterloo Square on the western side and Norfolk Street to the east. The Waterloo Square frontage has three storeys and is light yellow rendered with a slate roof and a blue painted canopy at ground floor (this becomes a balcony at first floor for the flats). The Norfolk Street frontage is only two storeys and is set back from the road with access to the flats and some informal parking spaces present. It was noted that the rear hardstanding area could accommodate the parking of around 5 cars.
CHARACTER OF LOCALITY	Town Centre and Conservation Area. Mix of commercial uses at ground floor with flats above. The site also forms part of the Restaurant & Cultural Quarter as defined by the Bognor Regis Neighbourhood Development Plan. There are 9 residential flats above the premises some with balcony space on the front. The neighbouring premises to the north is a hot food takeaway with a flat above. The building to the south is

currently disused. To the rear on Norfolk Street, there is a small dwelling adjacent (Smugglers Cottage). On-street parking in the local area is either permit or pay & display.

RELEVANT SITE HISTORY

BR/40/92	Amendments to elevations previously approved under BR/374/89	Approve 11-03-92
BR/101/90	To install new window at first floor level and carry out minor amendments to elevational treatment from that approved under BR/374/89.	ApproveConditionally 17-04-90
BR/374/89	To demolish existing Amusement Arcade and reconstruct together with 9 flats over at first and second floor level and provision of car parking on the site at 12 Lennox Street	ApproveConditionally 30-08-89
BR/28/89	Regulation 5 Application - Outline Application for Redevelopment with, on the ground floor: Either retail shops including sale of food (Class A3) and /or amusement arcades; and on upper floors: 9 residential flats (6 one bed and 3 two bed) on two floors (max. overall height 3 storey) together with car parking on the site at 12 Lennox Street.	Deemed Perm Cnd 01-03-89
BR/290/84	Erection Of External Canopy	ApproveConditionally 20-06-84
BR/895/83	Part Change Of Use Installat- Ion Of Take Away Hot Food Unit With A Total Floor Space Of 36.5 Sq Mtrs	ApproveConditionally 07-12-83
BR/277/83	Change Of Use Of Part Of Premises To Use For Retail Purposes	ApproveConditionally 27-04-83
BR/22/80	Renew Existing Shop Fronts	ApproveConditionally 06-02-80

It is noted that BR/374/89 allowed for the reconstruction of the amusement arcade with 9 flats above and specified parking for the flats to be provided at 12 Lennox Street. Although that address is still used for parking, it is unknown as to whether it still allocates 9 spaces to the occupiers of the flats.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

"No objection"

6 letters from local residents. 5 in support and 1 objection. None are from any immediate residential occupiers. Grounds of support as follows:

- (1) Benefit to the economy of the Conservation Area & wider town centre area;
- (2) No harm to the Conservation Area;
- (3) More waste capacity may be needed; and
- (4) Improvement to existing neglected building.

The objection is on the basis that this space should be turned back into a family entertainment center rather than more cafes/shops as there are other empty smaller commercial spaces that new cafes/bars/shops could occupy.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council comment is noted.

The supporters comments are noted. In respect of the comment about waste capacity, this has also been highlighted by Environmental Health Officers and they have requested a planning condition to control the number of bins and management of these.

The objection is noted. However, there are no planning policies that would serve to prevent this change of use which is itself led by market forces (demand). Further, it may well be the case that if permission was refused, that if there is future demand for family entertainment, then these premises will continue to be unoccupied.

CONSULTATIONS

Economic Regeneration

Conservation Officer

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - Consider that the proposals are in a sustainable location within walking distance of

public car parks and the public transport network. Do not consider that the proposal would generate an increase in vehicle movements with respect to the existing use and note that the peak usage times would not be expected to coincide with peak traffic levels in the area. Note that local vehicular parking is available on street or at the local car parks and that parking for the flats is available on Lennox Street. Access is also available for deliveries both within Waterloo Square and Norfolk Street. Therefore raise no objection

ADC ENVIRONMENTAL HEALTH - State no objections in principle but requested further details in order to address issues due to a lack of available information:

- (1) Noise from proposed A3 & A4 uses on the flats above.
- (2) The need for mechanical ventilation. If none proposed, EH would want to prevent odorous types of cooking process.
- (3) Details needed as to sanitary provision for the A3 or A4 units.
- (4) Need for more bins and management of waste due to different collections on different days.
- (5) Also note that conditions would likely be required relating to: (a) a Construction Management Plan; (b) hours of use; and (c) delivery hours.

ADC ECONOMIC DEVELOPMENT - Are pleased to see this application for an area which has been unused for some while now. Therefore support the application. Note that there are a mix of retail & catering units and comment that there appears to be an unmet demand for catering units in Bognor Regis at present.

ADC CONSERVATION OFFICER - Raise no objections as the current building detracts from the character and appearance of the Conservation Area and the proposal is much more in keeping with a Conservation Area and will therefore have a positive impact. Also consider that the proposed uses will benefit the local economy by encouraging a greater number of people to the area. Require conditions to secure details of materials and colours.

COMMENTS ON CONSULTATION RESPONSES:

In respect of the Environmental Health comments, the applicant has commented that:

"Now on the 24 Sept you email out a request from the EHO, which to be honest is extremely late and beyond the dates for this application and should be ignored. It request is unacceptable given the current use of the building as an amusement arcade. The EHO clearly has not read the file or looked into the building as the proposed uses will significantly reduce the noise levels, therefore not requiring a noise assessment.

Whilst we have applied for A3 and A4 use we currently don't know which units they would take if any at all, which is why it was left open on the drawings. The purpose of the proposal is to bring life back to Bognor in this vacant deprived building which does not enhance the conservation area or improve the vitality of the important tourist area. We also find the additional information request un-necessary given the notes above and again could be dealt with by condition.

If this information had been requested in the proper time frame for the application, the applicant may have been more willing, but given the time that has passed they are not. I have discussed this with the applicant and it is felt that Arun DC will have to deal with the application with the data presented, as no further information will be submitted under this application.

You can clearly condition any use and as it is in a conservation area any external extracts etc will need to be cleared by the conservation team. The fact that we don't know which units require this equipment,

make it impossible to deal with the EHO request at this point in time, but can be dealt with under condition should their fit-out be required, which is normal for retail units."

It has therefore been agreed that the concerns be dealt with through appropriately worded conditions. However, sanitary provision is a matter for food licensing and so this will be included only as an informative.

Otherwise all comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
The Steyne Conservation Area;
Wider Town Centre Area; and
Old Town Restaurant & Cultural Quarter.

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
QEDM1	QE DM1 Noise Pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

Bognor Regis Neighbourhood Plan 2015 Policy 1	Delivery of the Vision
Bognor Regis Neighbourhood Plan 2015 Policy 2	Promoting the Seaside Identity
Bognor Regis Neighbourhood Plan 2015 Policy 3	Old Town Restaurant and Cultural Quarter
Bognor Regis Neighbourhood Plan 2015 Policy 5	Preferred Retail Uses in the primary retail area

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The following Bognor Regis Neighbourhood Development Plan policies are considered relevant and are referred to within this determination:

Policy 1 "Delivery of the Vision";
Policy 2 "Promoting the Seaside Identity";
Policy 3 "Old Town Restaurant and Cultural Quarter"; and
Policy 5 "Preferred Retail Uses in the Primary Retail Area".

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 relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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:

The site lies within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 and provided it is in accordance with other policies of the Local Plan covering such issues as the change of use, impact on heritage assets, residential amenity and parking.

Regard should also be had to policy SD SP1 of the ALP which states that: "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." It is considered that the site is in a sustainable town centre location within easy walking & cycling distance of a range of shops, facilities and services including bus stops and the railway station.

CHANGE TO THE COMMERCIAL USE:

The proposal will maintain a commercial use albeit with one large amusement arcade use being replaced by 5 small units within use classes A1, A3 and A4. No employment details are provided but it is

considered likely that the staff needed for the 5 proposed individual units together with any communal staff (security, cleaners) will result in a greater number of jobs than the existing amusement arcade use.

It is noted that paragraph 118 (d) of the National Planning Policy Framework (NPPF) states that "Planning policies and decisions should: promote and support the development of under-utilised land and buildings ...". In addition, paragraph 85 states that: "Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation."

Arun DC Economic Development officers have set out their support for the proposal and consider there to be demand for small catering uses.

Arun Local Plan policy RET DM1 is relevant and states that

Town Centre uses which accord with the existing hierarchy of retail centres within Arun 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;
- (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.

Also that "Applications for A3 Uses will need to be accompanied by details of the provisions for the extraction of fumes and cooking odours and the provision of areas for the collection of waste."

With the exception of details of extraction (which due to the speculative nature of the application, cannot currently be provided), it is considered that the proposal complies with policy RET DM1. The proposed alterations are considered to improve the character of the Conservation Area and the site is easily accessible by both bus/rail and foot or cycle. The site already benefits from level access from the pavement. Although no crime prevention measures are proposed, it is considered that the existing use already has its own measures and also, that the reuse and intensification of the premises will actively reduce crime through greater surveillance.

It is noted that Bognor Regis Neighbourhood Development Plan (BRNDP) policy 5 sets out support for the change of use of premises to retail (A1 Shops, A3 Cafes & Restaurants and A4 Bars) within the primary retail area.

It is also relevant to consider BRNDP policy 3 due to the site being situated within the BRNDP designated "Old Town Restaurant & Cultural Quarter". This states that use classes A3 and A4 are particularly encouraged here and that outdoor seating, ground floor alterations & extensions and new facades are all encouraged.

It is therefore considered that the proposal would comply with policy RET SM1 and with BRNDP policies 3 and 5.

IMPACT ON HERITAGE ASSETS:

The application site sits within the Steyne Conservation Area. It is also adjacent to a Building of Special Character (however, there is no requirement in the Local Plan for development to preserve the setting of buildings of special character therefore it is not relevant to consider policy HER DM2)

Arun Local Plan policy HER DM3, sets out the following (relevant) criteria in respect of development affecting Conservation Areas:

- (b) Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area;
- (c) Traditional features such as shop fronts, walls, railings, paved surfaces and street furniture are retained and restored;
- (d) Unsympathetic features are removed and missing features are restored or reinstated; and
- (f) It does not harm important views into, out of or within the Conservation Area.

The National Planning Policy Framework (NPPF) has recently been updated. Paragraphs 184-202 now cover the historic environment. The NPPF is a material consideration in this determination but it is not considered that it indicates that the application should be determined differently to the policies of the Development Plan.

BRNDP policies 1 and 3 are relevant. These state that:

Policy 1 (Delivery of the Vision): "Development Proposals concerned with extensions and alterations of Designated and Non-designated Heritage Assets and Major Developments should demonstrate how proposed changes will support the delivery of relevant Neighbourhood Development Plan Objectives and our Vision for Bognor Regis. Proposals must identify the significance of any affected heritage asset and assess any harm and benefit. These should be included within the design and access statement if one is required."

Policy 2 (Promoting the Seaside Identity): "Development Proposals within the 'Wider Town Centre Area' and concerned with extensions and alterations to the exterior of Designated and Non-designated Heritage Assets and their settings must adhere to a 'Secure, restore and boost our seaside identity first' principle by echoing and responding eloquently and innovatively to the local built environment character and setting."

The Councils Conservation Officer has assessed the proposal and considers that it will have a positive impact on the building and thus the character/appearance of the Conservation Area. In addition, that it will bring more people into the Conservation Area and this part of the seafront thus boosting the local economy.

It is noted that the proposal will revert back to a more traditional shop front with stall risers as opposed to the current glass frontage. Furthermore, the drawings indicate that signage will be placed under the canopy rather than on the fascia board above it.

It is therefore considered that the proposal complies with Arun Local Plan policy HER DM3 and with the spirit of policies 1 and 2 of the BRNDP.

RESIDENTIAL AMENITY

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

ALP policy QE SP1 is also relevant and states that: "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". Policies QE DM1 and DM3 seek to ensure that residential occupiers are not adversely affected by noise and air (e.g. odour) pollution.

There are 9 existing residential flats situated on the upper floors of the building. It is noted that those on the first floor may have previously been affected by noise from the amusement arcade below. However, the proposed uses will result in different types of noise, at different times of the day and potentially different types of noise at the same times of day. It is therefore necessary to give proper consideration to the noise and odour impacts of the proposal.

The application has been assessed by Environmental Health Officers who have not objected to the principle of the changes of use. Concern has been raised as to the impact of noise on residents, the management/storage of waste and how cooking odours will be removed from kitchens. Environmental Health have requested further detail in respect of these issues. However, the applicant is unable to provide such information at the current time as there are no firm plans as to which type of business will go where in the layout and who the eventual occupiers will be. The applicant has therefore suggested that conditions be imposed to control these matters and that these then be discharged when the occupier is known. It is considered that appropriately worded conditions will provide protection to the existing residents and that these conditions will be enforceable.

It is therefore considered that the proposal will comply with policies D DM1, QE SP1, QE DM1 & QE DM3 of the Arun Local Plan.

PARKING:

Arun Local Plan policy T SP1 seeks to ensure that 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 that:

"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"

Regard should also be had to paragraph 109 of the NPPF which states that: "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."

The site currently has the benefit of off-street parking in the form of a car park on nearby Lennox Street for the residential flats as well as around 5 off-street forecourt parking spaces accessed from the rear. The proposal suggests that the existing spaces to the rear will be lost, replaced in part by the new bin store and with the remaining area behind new bollards. Even if these bollards are to be collapsible then only 2 standard parking space sized spaces would remain and one of these would block the rear access. Indeed, the application states that:

"Whilst the photos show parking this is not really an option as the proposal is to try and introduce a development that has a through access system that links Waterloo Square and Norfolk Street. This will have the advantage in integrating the two streets."

Therefore, it is safe to assume that all of these parking spaces will be lost. However, the site is in a sustainable town centre location and employees can therefore access the site by bus or train. Furthermore, there is public car parking nearby so that employees could pay to park during the day.

West Sussex Highways do not consider the lack of parking for the commercial uses to be a concern. The zero commercial parking provision is therefore not considered inappropriate and the proposal is therefore considered to comply with policy T SP1.

SUMMARY:

This proposal is considered to represent an efficient use of currently vacant commercial premises within the town centre area. It does so without harm to the character of the Conservation Area (it is actually considered that it will have a positive impact on the Conservation Area) and it is considered that the impacts on the adjoining residents can be mitigated through planning conditions. The recommendation is therefore to approve is subject to the following conditions.

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.

RECOMMENDATION**APPROVE CONDITIONALLY**

- 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 plan:

"Proposed Floors & Elevations plans including Block plan" dwg. 18-1236 P 02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and HER DM3 of the Arun Local Plan.

- 3 Unless and until an extraction system as agreed in writing with the Local Planning Authority, has been installed to serve the proposed class A3 cafe/restaurant or class A4 public house/bar uses then any such class A3 or A4 use/s shall be restricted to the preparation of non-odorous cooking methods only and therefore there shall be no frying, grilling or griddling within any A3 or A4 unit. The extraction systems so installed shall be maintained in good working order in perpetuity.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies QE SP1 and QE DM3.

- 4 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work and the careful selection of plant and machinery;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development; and
- d. measures to control the emission of dust and dirt during construction.

Reason: In the interests of the amenities of the area and of adjacent residential occupiers in accordance with policies D DM1, QE SP1, QE DM1 & QE DM3 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 construction starting on the site.

- 5 No development above damp proof course (DPC) level shall take place unless and until a colour schedule of materials and finishes to be used for the new shop front have been submitted to and approved by the Local Planning Authority and the materials/colours so approved shall be used in the construction of the new shop front.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character & appearance of the Conservation Area by endeavouring to achieve a building of visual quality in accordance with policies HER SP1 & HER DM3 of the Arun Local Plan.

- 6 No development above damp proof course (DPC) level shall take place unless and until colour details of the paints to be used for the repainting of the existing canopy, support posts and timber fascia have been submitted to and approved by the Local Planning Authority and the colour of paint so approved shall be used in the proposed repainting.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character & appearance of the Conservation Area by endeavouring to achieve a building of visual quality in accordance with policies HER SP1 & HER DM3 of the Arun Local Plan.

- 7 Details of the number of bins and the management of stored waste ready for collection within the approved bin store shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the units. The bins shall thereafter be permanently provided for the uses.

Reason: To protect the amenities of nearby residents in accordance with Arun Local Plan policies QE SP1 and QE DM3.

- 8 Prior to the occupation of the class A3 cafe/restaurant use, the owner/occupier shall submit a noise assessment report for approval by the Local Planning Authority, to assess the impact of the use on the residents living above the premises and to specify mitigation measures if considered necessary. The report shall also take account of any extraction equipment to be installed (whether internal or external). The cafe/restaurant shall not then be occupied unless and until the approved mitigation measures have been implemented in full and these measures shall be permanently maintained thereafter.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 9 Prior to the occupation of the class A4 public house/bar use, the owner/occupier shall submit a noise assessment report for approval by the Local Planning Authority, to assess the impact of the use on the residents living above the premises and to specify mitigation measures if considered necessary. The report shall also take account of any extraction equipment to be installed (whether internal or external). The public house/bar shall not then be occupied unless and until the approved mitigation measures have been implemented in full and these measures shall be permanently maintained thereafter.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 10 (a) Deliveries by commercial vehicles shall only be made to or from the A1 retail unit/s, between 07:00 hours and 20:00 hours Monday to Saturday and between 09:00 hours and 17:00 hours on Sundays, Bank or other Public Holidays without the prior written consent of the Local Planning Authority.

(b) Deliveries by commercial vehicles shall only be made to or from the A3 cafe/restaurant unit/s, between 07:00 hours and 20:00 hours Monday to Saturday and between 09:00 hours and 17:00 hours on Sundays, Bank or other Public Holidays without the prior written consent of the Local Planning Authority.

(c) Deliveries by commercial vehicles shall only be made to or from the A4 public house/bar unit/s, between 07:00 hours and 20:00 hours Monday to Saturday and between 09:00 hours and 17:00 hours on Sundays, Bank or other Public Holidays without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 11 (a) The A1 retail use hereby permitted shall only be open between the hours of 07:00 hours and 23:00 hours Monday to Saturday and between 07:00 hours and 22:30 hours on Sundays, Bank or other Public Holidays.

(b) The A3 cafe/restaurant use hereby permitted shall only be open between the hours of 07:00 hours and 23:00 hours Monday to Saturday and between 07:00 hours and 22:00 hours on Sundays, Bank or other Public Holidays.

(c) The A4 public house/bar use hereby permitted shall only be open between the hours of 07:00 hours and 23:00 hours Monday to Saturday and between 07:00 hours and 22:00 hours on Sundays, Bank or other Public Holidays.

Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 12 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 13 INFORMATIVE: The A3 and A4 uses may require registration under the Food Safety Act 1990 and will need to comply with the standards (including sanitary facilities) contained in the relevant Food Hygiene Regulations prior to becoming operational. The applicant is advised to contact the Councils Food Safety team for further information - food.safety@arun.gov.uk or 01903 737755.