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Bourne House, Cores End Road

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Our ref. TE/B0049/20
Portal ref. PP-08688168

04 September 2020

Planning Services
Arun District Council
1 Maltravers Road
Littlehampton
BN17 5LF

Dear Sir / Madam,

Amendment application – Butlins Resort, Bognor Regis

Planning Portal ref. PP-08688168

Original application ref. BR/240/16/PL

I have today submitted an application under Section 73 of the Town and Country Planning Act for a minor material amendment to planning permission BR/240/16/PL dated 05 January 2017.

The description of development on the original decision notice is as follows:

Demolition of existing swimming pool building & re-instatement of vacated site as landscaped area; demolition of existing staff & guest accommodation (1,005 bedspaces); erection of new swimming pool building with external slides & river ride; associated landscaping; new pedestrian links; alterations to existing car parks areas; proposed decked car park; new gatehouse for guest reception, alterations to site internal road layout & formation of temporary construction access

There are two subsequent 'minor material amendments' (MMA) to this original permission, dated 14 March 2018 (BR/331/17/PL) and 26 April 2019 (BR/39/19/PL), which together with original permission form the extant and implemented consent.

In order to affect minor alterations to the approved layout of the guest check-in area at the main gate this application seeks to vary the wording of a condition attached to 'original consent' BR/240/16/PL and a condition attached to 'MMA' BR/39/19/PL dated 26 April 2019:

- January 2019 Original Consent Condition 13 (permanent access to the site constructed in accordance with drawing P110A)
- April 2019 MMA Condition 2 (development to be carried out in accordance with approved drawings)



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This application is retrospective as the vehicle check-in lanes are laid out as shown on the enclosed drawing and the kiosk in the new location has been installed.

The S73 Mechanism

This application is being submitted in accordance with the National Planning Practice Guidance, which advises that an application for minor material amendments can be made through a S.73 application to change a condition listing approved plans (Condition 2). A S.73 application also provides the mechanism for alterations to the wording of conditions (Condition 13).

Whilst there is no statutory definition of a 'minor material amendment' it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved (Paragraph: 017 Reference ID: 17a-017-20140306).

This requires a local authority to consider whether the resulting development approved as part of the MMA application process is not substantially different from that which has previously been approved.

In the case of the proposed amendments to the approved scheme, we consider the changes to be extremely minor – the end result is a development which is not “substantially different” to the scheme which was approved in January 2017 – and therefore the changes can be considered under the ‘minor material amendment’ mechanism.

The description of development will remain unchanged, and the commentary and conclusions reached by the Council in approving the original main application in January 2017 remain the same.

In this case the end result and the objective of Condition 13 and Drawing PI 10A – a main entrance laid out so that guest arrivals can be processed effectively and efficiently – will remain in place. All that this application proposes are minor changes to the layout which currently differs from that which has been approved, and changes to the design and location of the kiosk. The effect of the kiosk and how it operates will remain as approved.

The Proposal

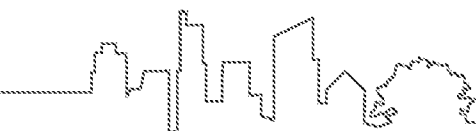
This application is made following enquiries from Christopher Best at Arun District Council's enforcement team in the autumn of last year concerning the resort's check-in procedures.

Condition 13 states:

“Prior to first occupation of the approved development, the permanent access to the site shall be constructed in accordance with the approved site plan drawing number 5128 PI 10 Rev A.”

However, the guest check-in area and vehicle access point at the main gate has been laid out in a different arrangement to that shown on the approved drawing. Therefore, it is either necessary to rationalise what has been laid out at the site versus the approved drawing so that there is no longer any breach of condition, or to revise the condition requirement.

The applicants chose the latter course of action. It is therefore necessary to substitute drawing PI 10A with PI 10B to affect this minor change, and in doing so this means it is necessary to vary the wording of both Condition 2 and Condition 13.



In order to give the Council comfort that the new (current) layout and check-in procedure will continue to be adhered to, a Management Plan is also included in this application and it is proposed to alter the wording of Condition 13 to require adherence to this document.

The Management Plan provides a mechanism to control and manage guest check-in at the main entrance, including an updated layout of vehicle lanes and a new location for the staff kiosk.

It should be emphasised that the issues which came to light in the autumn which were the focus of the Council's concerns were temporary, they were prior to the procedures in the Management Plan having been put in place.

Previously in the autumn as works were being undertaken at the site the car parks were full to capacity and the resort was hiring a car park elsewhere off-site which slowed down the guest check in procedures. The works have now been completed and the car parking in the resort is fully available to guests.

Furthermore, a new hand-held check-in system has been in operation during 2020 which is less manual than previously. Guests to the Butlins Resort arrive at the roundabout, and vehicles are directed by staff to filter into two lines of traffic at the main gate arrival point. As vehicles filter into these lanes staff are mobile and are walking alongside the two lanes of vehicles. It allows guests to be efficiently scanned and keeps the flow of traffic moving much better than previously, on into the resort to park.

In the event of there being a problem with guest check-in, the vehicle is moved forward and to the side into a designated holding area where staff can process the check-in away from the main flow of traffic.

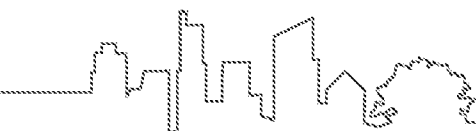
This holding area includes a kiosk for staff for storage or wet weather shelter. The appearance of this "gatehouse for guest reception" (as referred to in the description of development on the original consent) has been updated to reflect the new hand-held check-in system and more mobile staff. The location has changed on the plan, and its appearance has changed on the relevant drawing.

These procedures together ensure the flow of vehicles is maintained and keeps traffic from backing up at the main gate and onto the roundabout, which was the crux of the Council's concerns. The Condition once reworded will continue to fulfil its original purpose. Full details are set out in the Management Plan.

Updated drawings

This 'Minor Material Amendment' application seeks to substitute one approved drawing with one new revision drawing to affect the minor changes. It also includes a Management Plan which is to be referred to in the new revised wording.

Condition 1 of the April 2019 MMA (ref. BR/39/19/PL) decision notice lists out the new drawing numbers which form the approved scheme. Whilst this supersedes Condition 2 on the original decision noticed from January 2017 (and indeed the March 2018 MMA) it should be noted that the drawing in question has not been affected by the two subsequent MMAs. They are as originally approved.



Condition 1 of the MMA (ref. BR/39/19/PL) states:

“The development hereby approved shall be carried out in accordance with the following approved plans...”

It is proposed to substitute the following **approved** drawing:

- 5128 P110 rev A Entrance Site Plan;

With the following **proposed** drawing:

- 5128 P110 rev B Entrance Site Plan;

It is proposed to remove the following **approved** drawing from the decision notice:

- 5128 P206 rev A New temporary kiosk plan;

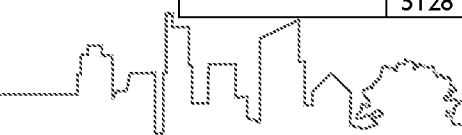
The reason for this deletion is that the design of the kiosk has changed and has been built, and this is shown on 5128 P110 rev B.

Proposed Condition Rewording

In addition to rewording Condition 1 of BR/39/19/PL, it is also necessary to alter the wording of Condition 13 attached to the original January 2017 consent (BR/240/16/PL)

The schedule below sets out the text of these two conditions we are seeking to vary and proposes amended wording in red, with any text to be deleted struck through:

Condition no.	Proposed wording
1	The development hereby approved shall be carried out in accordance with the following approved plans: 5128 P101 rev B Location plan and existing site plan; 5128 P102 rev B Proposed Site Plan Phase 1; 5128 P102 rev C Proposed Site Plan Phase 1; 5128 P103 rev B Proposed Site Plan Phase 2; 5128 P104 rev B Existing Site Plan Starfish Quay; 5128 P105 rev B Proposed Site Plan Phase 1; 5128 P105 rev C Proposed Site Plan Phase 1; 5128 P106 rev B Proposed Site Plan Phase 2; 5128 P107 rev B Existing Site Plan Existing Splash; 5128 P108 rev B Proposed Site Plan Phase 2; 5128 P110 rev A Entrance Site Plan; 5128 P110 rev B Entrance Site Plan; 5128 P200 rev C Basement Floor Plan; 5128 P201 rev D Ground Floor; 5128 P202 rev D First Floor Plan; 5128 P203 rev C Roof Plan; 5128 P204 rev D Car Park Ground Floor Plan; 5128 P205 rev E Car Park First Floor Plan; 5128 P206 rev A New temporary kiosk plan; 5128 P250 rev B Existing Splash Basement Plan; 5128 P251 rev B Existing Splash GF Plan;

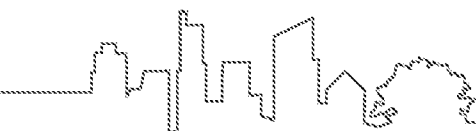


	5128 P252 rev B Existing Splash FF Plan; 5128 P300 rev E Proposed Elevations Sheet 1; 5128 P301 rev E Proposed Elevations Sheet 2; 5128 P305 rev D Proposed Site Elevations; 5128 P306 rev E Car Park Elevations; 5128 P307 Car Park Elevations Without Context; 5128 P308 rev B Car park cladding and screening detail; 5128 P350 rev B Existing Splash Elevations; 5128 P355 rev B Chalet Photograph Sheet 1; 5128 P356 rev B Chalet Photograph Sheet 2; 5128 P357 rev B Chalet Photograph Sheet 3; 5128 P358 rev B Chalet Photograph Sheet 4; 5128 P405 rev D Proposed Sections; 5128_P111 rev A Proposed Site Plan - Phase 3; 5128 1301 Rev M Elevations - sheet 1; 5128 1302 Rev M Elevations - sheet 2; 5128 1303 Rev D North Elevation - sheet 1; 5128 1304 Rev E North Elevation - sheet 2; 5128 1305 Rev D South Elevation - sheet 1; 5128 1306 Rev B South Elevation - sheet 2; 5128 1307 Rev C East Elevation; 5128 1308 Rev C Entrance and Cafe Elevation; 5128 1309 Rev C West Elevation - sheet 1; 5128 1310 Rev B West Elevation - sheet 2; Car Park Phasing A; Car Park Phasing B; Car Park Phasing C; Car Park Phasing D; Car Park Phasing E; 16_100_PL200A Phase 1 Landscape Masterplan; 16_100_PL201 Phase 2 Landscape Masterplan; 16-100-PI01B Detailed Planting Proposals to Boundaries Phase 1; 16-100-PI02 Detailed Planting Proposals to Boundaries Phase 2; and 9306/02 - Tree Protection Plan.
13	Prior to first occupation of the approved development, the permanent access to the site shall be constructed in accordance with the approved site plan drawing number 5128 P110 Rev A The permanent access to the site shall be retained in situ in accordance with the approved site plan drawing number 5128 P110 Rev B and shall be operated only in accordance with the Management Plan hereby approved.

Summary and Conclusion

The revised drawings do not result in a scheme which is *substantially different* from that which has already been approved.

The minor changes to the main guest entrance layout and check-in procedure do not materially affect the planning permission, indeed the description of development remains unchanged. The end result remains a new swimming pool at the Butlins Resort Bognor Regis (which has been completed and which is operational) and the desired improvement to the efficiency of the check in process.



This application is made in the context of extremely minor changes to the scheme over the course of the new swimming pool and associated car parking opening to the public during 2019 and the guest check-in procedures being refined, necessitating the submission of a formal application to update one of the approved drawings.

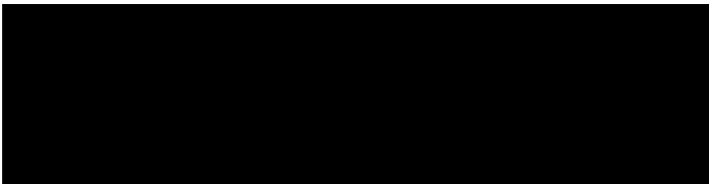
The details and safeguards set out in the suite of conditions on the decision notices would still be required to be adhered to once development is complete, including new revised Condition 13. The Council can therefore remain satisfied that all details previously approved will ultimately be complied with, and that the appropriate safeguards and controls will remain in place.

It is therefore requested that this S.73 'minor material amendment' is approved.

The new procedures in the Management Plan are already being implemented. The new layout is in effect, and the new kiosk has been installed.

We look forward to receiving confirmation that the application has been validated. If you have any queries or require any further information, please do not hesitate to contact me by telephone or email.

Yours sincerely,



Tom Edmunds MPlan MRTPI
Consultant

