

Recommendation Report for Planning Permission

REF NO:	BR/232/21/PL
LOCATION:	Butlins Upper Bognor Road Bognor Regis PO21 1JJ
PROPOSAL:	Retention of existing temporary venue (Studio 36) which accommodates performance stage and seating, including mechanical ventilation system/external plant equipment, for an additional temporary period of 2 years (24 months) from the end of the 1 year period (ending 11 March 2022) granted for BR/292/20/PL. Also being applied for is a 1 night exemption from the restriction on hours of use approved under BR/292/20/PL (latest use of venue 23:00, latest egress of venue by 23:30) for New Years Eve only to allow the use of the venue until 00:30 and egress of the venue by 01:00. This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Planning permission is sought for an additional 2 years temporary planning permission for the Studio 36 venue, starting from the date of the current 1 year temporary planning permission (ref. BR/292/20/PL) ending in March 2022. Special opening hours for New Years Eve are also sought to allow the use of the venue until 00:30 hours and egress of the venue by 01:00 hours for that night of the year only.
SITE CHARACTERISTICS	The site is the Butlins holiday and entertainment resort at Bognor Regis. The approved Studio 36 venue building is located in the south-west part of the resort, with Promenade Road, the Butlins boundary and the sea and Promenade beyond to the south, the Atlantic Bay Guest Car Park and guest accommodation directly to the west and resort buildings to the north and east.
CHARACTER OF LOCALITY	Urban coastal. This part of Bognor Regis is dominated by the Butlin's Resort, its buildings (including the large 'Skyline' pavilion structure, new swimming pool building, high rise hotels and lower rise guest accommodation), car parking and green landscaping. To the south, the site borders Bognor Regis Promenade adjacent to the sea. The nearest residential properties are to the west along Sea Road, north-west along Upper Bognor Road and to the west at Gloucester Road and The Esplanade. Further west is Bognor town centre. To the north is the Upper Bognor Road and Mead Lane Conservation Area and Hotham Park Grade II listed park.

RELEVANT SITE HISTORY

BR/234/21/PL	Rear extension to the existing temporary venue (Studio 36) to accommodate back of house facilities and associated works. This site is in CIL Zone 4 (Zero Rated) as other development.	ApproveConditionally 26-11-21
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BR/292/20/PL	Erection of temporary enclosed buildings to accommodate performance stage and seating for a temporary period of 1 year. (January 2021- amended description: plans now include mechanical ventilation system/external plant equipment). Re-consultation. This site is in CIL Zone 4 (Zero Rated) as other development.	ApproveConditionally 11-03-21
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Planning permission was granted in March 2021 for the erection of a temporary entertainment building known as 'Studio 36' for a time period of 1 year (ref. BR/292/20/PL). This current application seeks to extend the temporary planning permission for a further 2 years and enable special opening hours for New Years Eve.

Planning permission was recently granted for a rear extension to the Studio 36 building (ref. BR/234/21/PL) to accommodate back-of-house facilities for staff and performers, and this was granted for a temporary period of 2 years.

REPRESENTATIONS

Bognor Regis Town Council -
No objection.

Bognor Regis Regeneration Board -
Supports the proposal.

3 letters of objection have been received (2 from same person), summarised as follows:

- Concerns about evening noise from Butlins site and this venue. Submitted Noise Report underestimates noise levels in residential area to east of Butlin's perimeter. Noise from PA systems and performances prevents sleeping. Restrictions should apply from 22:00 hours and improved sound insulation to premises.
- No point in objecting. Butlins said venue would be sound-proofed and only be limited shows but music and shouting cause noise nuisance to nearest local residents. Butlins said shows would end at 10pm but sometimes end at past 11.30pm. Council's EH said they were promised remediation but Butlins just move DJ etc. to Skyline Pavilion where noise impact is even worse. Council's EH do not enforce noise limits.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. Impact of noise assessed in detail in Conclusions section of report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health -

No objection, based on the following;

- All current EH conditions imposed under BR/292/20/PL are to be re-imposed, including venue opening times for Studio 36, with the exception of planning condition 'Sound Level Monitoring Equipment' which is to be re-worded to reflect the newly installed permanent noise monitoring system within Studio 36 and external noise monitoring stations to the east and west of the Butlin's site.
 - The original EH planning conditions under ref: BR/292/20/PL have been fully adhered to by the company (Butlin's) in 2021.
 - Only 2 noise complaints regarding Butlin's received by Arun District Council Environmental Health in 2021 which involved extensive noise monitoring as part of the investigation and concluded that there was no statutory noise nuisance witnessed by either Arun District Environmental Health Officers or the EH Out of Hours team.
 - Butlin's additional noise mitigation controls installed within Studio 36 after opening i.e. internal acoustic drapes and permanent noise monitoring system.
- In addition, EH has no objection for the 1 night exemption from the restriction on hours of use under planning conditions (Ref: BR/292/20/PL) for New Year's Eve 2021/22 and 2022/2023.

Conservation Officer -

No objection.

Comments as per those made under BR/292/20/PL.

WSCC Highways -

No objection.

WSCC Lead Local Flood Authority -

No objection.

Environment Agency -

No consultation/comments received.

Refer to comments made to BR/292/20/PL.

ADC Drainage Engineer -

No objection.

Southern Water -

No comments received.

Refer to comments made to BR/292/20/PL.

ADC Coastal Engineer -

No consultation/comments received.

Refer to comments made to BR/292/20/PL.

Natural England -

Confirmed they have no comments to make. Refer LPA to standing advice for assessing impacts on protected species. The application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

Sussex Police Designing Out Crime Officer -

No objection.

Sussex Police Licensing team would not object to venue being used until 00:30 hours and egress by 1:00 hours on NYE, however ask applicant to ensure noise is kept to a minimum so amenity of local residents is not unduly disturbed into the early hours. In relation to proposed further 24 months use, refer to comments made under BR/292/20/PL, having reviewed noise complaints on this current application, have ongoing concerns. Pleased to note that the venue are taking steps to ensure that noise levels are monitored and adjusted accordingly but any noise issues and complaints from the local community should be sensitively addressed and actioned promptly to ensure that the amenity of residents is not compromised.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in Conclusions section of report.

The comments from Sussex Police regarding noise are noted, the intention of the comments welcomed and it is agreed that any noise complaints should be dealt with sensitively and actioned promptly as appropriate. However, it is noted that, noise monitoring and impacts is a technical matter to be assessed by the Council's Environmental Health team based on the empirical noise data etc.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary

Flood Zone 2 & 3

Pagham Harbour SPA/Ramsar 400m-5km Zone B buffer zone

2km of Bognor Reef and Felpham SSSIs

CIL Zone 4

North of site - Upper Bognor Road and Mead Lane Conservation Area, Hotham Park Grade II listed park and listed late 18th century buildings fronting Upper Bognor Road.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk

WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM2	ENV DM2 Pagham Harbour
ENVSP1	ENV SP1 Natural Environment

Bognor Regis Neighbourhood Plan 2015 Policy 1	Delivery of the Vision
Bognor Regis Neighbourhood Plan 2015 Policy 6	Key gateways and promotion of sustainable travel
Bognor Regis Neighbourhood Plan 2015 Policy 7	Promotion of tourism and beach service points
Bognor Regis Neighbourhood Plan 2015 Policy 8A	Design Excellence
Bognor Regis Neighbourhood Plan 2015 Policy 8D	Butlin Promenade frontage & Gloucester Road Car Park Site

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

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 policies contained within the Bognor Regis Neighbourhood Plan are relevant in the determination of this application.

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."

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

The proposal is considered to comply with relevant Development Plan policies in that, the development would be acceptable in principle, and subject to planning conditions, would have an acceptable impact on the visual and residential amenity of the area, local heritage, highways and parking, flooding and drainage, and protected sites for nature conservation. The proposals would accord with all necessary legislation in this respect, and policies contained within the Development Plan which include the Arun Local Plan and Bognor Regis Neighbourhood Development Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES:

The key issue in the determination of this planning application for a further 2 years temporary planning permission for the Studio 36 venue and special NYE hours is as follows:

- Impact of proposals on neighbouring residential amenity.

All other matters related to the impact of the Studio 36 building on visual amenity, heritage assets, highways and parking, flooding and drainage and protected sites for nature conservation, have been assessed as acceptable, subject to planning conditions, under the previous 1 year temporary permission for the venue (ref. BR/292/20/PL). This remains the case and suitable planning conditions would need to be applied in the event of the approval of this current application.

RESIDENTIAL AMENITY IMPACT:

Paragraph 130 (f) of the National Plan states that development should have a high standard of amenity for existing and future users.

Arun Local Plan (ALP) policy D DM1(3) requires that new development will 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 states the Council requires 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 QE DM2 seek to protect residents from noise and light pollution. Policy TOU DM1 supports proposals for tourism development, including expansion, which are likely to attract visitors provided that it meets certain criteria including where they (c) address visitor management issues.

The current application seeks planning permission for a further temporary period of 2 years for the Studio 36 venue, starting from the date of the current 1 year temporary planning permission (ref. BR/292/20/PL) ending in March 2022. Special opening hours for New Years Eve are also sought to allow the use of the venue until 00:30 hours and egress of the venue by 01:00 hours for that night of the year only. As such, the impact of the continued use of the venue for an additional 2 year period and for special hours on NYE on local residential amenity needs to be assessed. The initial 1 year temporary planning permission was applied in order to allow for noise monitoring to be undertaken and impacts on local residents to be monitored during that time.

The application submission includes a Noise Impact Assessment (dated February 2021) which was approved under the previous application for the Studio 36 venue ref. BR/292/20/PL, a Technical Note on the Audio Systems (dated December 2020), a Technical Note on Audio Testing at similar venue at Skegness Butlins (dated May 2021), a Statement of Additional Noise Monitoring and Insulation Works undertaken at Studio 36 Bognor Regis Butlins since August 2021, Noise Monitoring Readings for Butlins Bognor Regis between May-August 2021, and Complaint Log and Actions Taken between June-September 2021.

The Council's Environmental Health (EH) Officer has been consulted on the application and has confirmed they have no objection to the proposals, based on the following;

- All current EH conditions imposed under BR/292/20/PL are to be re-imposed, including venue opening times for Studio 36, with the exception of planning condition 'Sound Level Monitoring Equipment' which is to be re-worded to reflect the newly installed permanent noise monitoring system within Studio 36 and external noise monitoring stations to the east and west of the Butlin's site.
- The original EH planning conditions under ref: BR/292/20/PL have been fully adhered to by the company (Butlin's) in 2021.
- Only 2 noise complaints regarding Butlin's received by Arun District Council Environmental Health in 2021 which involved extensive noise monitoring as part of the investigation and concluded that there was no statutory noise nuisance witnessed by either Arun District Environmental Health Officers or the EH Out of Hours team.
- Butlin's additional noise mitigation controls installed within Studio 36 after opening i.e. internal acoustic drapes and permanent noise monitoring system.

In addition, EH has no objection for the 1 night exemption from the restriction on hours of use under planning conditions (Ref: BR/292/20/PL) for New Year's Eve 2021/22 and 2022/2023.

In conclusion, Officers are satisfied, based on the submitted noise monitoring and insulation works information and Environmental Health's assessment as above, that the proposed continued use of the venue Studio 36 for a further 2 years and special NYE hours of use would not have a significant detrimental impact on the residential amenity of neighbouring occupants, subject to the measures set out above and suitable planning conditions to control and limit noise and lighting impacts. The proposals would therefore accord with the NPPF and Arun Local Plan policies D DM1(3), QE SP1, QE DM1 and QE DM2.

For clarity, it is confirmed that the extended special New Years opening hours approved under this current application, relates to all development within the red line site boundary shown on the submitted Site Plan, and this includes the rear extension to the Studio 36 venue recently approved under BR/234/21/PL.

SUMMARY:

It is concluded that, subject to planning conditions, the proposed continued use of the venue Studio 36 for a further 2 years and special NYE hours of use, would have an acceptable impact on residential amenity. All other matters, including impact on visual amenity, heritage assets, highways and parking, flooding and drainage and protected sites for nature conservation, have been assessed as acceptable, subject to planning conditions, under the previous 1 year temporary permission for the venue (ref. BR/292/20/PL). This remains the case and the same planning conditions (with exception of construction related conditions since building is already constructed) will need to be applied as before on that application. The proposals would accord with all necessary legislation in this respect, and policies contained within the Arun Local Plan and Bognor Regis Neighbourhood Development Plan.

The application is therefore recommended for approval subject to the following planning conditions and

informatives;

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.

CIL DETAILS

This application is not CIL liable as it is for 'other development'.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The structures and use permitted shall be in place and in use for a temporary period of 2 years from the date that planning permission BR/292/20/PL expires (11th March 2022). In this case to expire 11th March 2024 at which time the structures hereby permitted shall be removed and the land restored to its former condition, unless agreed in writing with the Local Planning Authority in the form of a planning application to extend planning permission for a further period.

Reasons: In order to limit the time period for which planning permission is granted to enable the Local Planning Authority to review the special circumstances under which this permission is granted and review the noise impacts on the local area and residential amenity of local occupants over a reasonable period and to limit any noise impacts, in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans for the Studio 36 building:

- Site Plan (drawing no. 2015-WOO-BOG-00-DR-A-001 Rev E)

- Block Plan (drawing no. 2015-WOO-BOG-00-DR-A-100 Rev G)
- Floor Plan (drawing no. 2015-WOO-BOG-00-DR-A-102 Rev C)
- Roof Plan (drawing no. 2015-WOO-BOG-00-DR-A-108 Rev A)
- Facade elevations (drawing no. 2015-WOO-BOG-00-DR-A-402 Rev G)
- Front elevations (drawing no. 2015-WOO-BOG-00-DR-A-401 Rev G)

And in accordance with the following approved plans for a rear extension to the Studio 36 building granted under BR/234/21/PL:

- Site Layout Plan (IPL_21_363/12_101)
- Extension General Arrangement Layout Plan (IPL_21_363/12_104)
- Proposed Building Elevations (IPL_21_363/12_103)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework, policies D SP1, D DM1, HER SP1, HER DM1, HER DM3, QE SP1, QE DM1, QE DM2, T SP1, T DM1, W DM2, W DM3, ENV SP1, and ENV DM2 of the Arun Local Plan and policies 1, 6, 7, 8a and 8d of the Bognor Regis Neighbourhood Plan.

- 3 The buildings hereby approved shall have no openable windows or rooflights at any time.

Reason: To protect the residential amenity of local occupants, in accordance with the National Planning Policy Framework, and policies QE SP1, QE DM1, QE DM2, and QE DM3 of the Arun Local Plan.

- 4 The development hereby permitted shall be undertaken in accordance with the approved surface water and foul drainage drawings: Proposed Drainage Layout (Drawing no. 500 Rev B), Drainage Details (Drawing no. 511 Rev B), Drainage Details (Drawing No. 512 Rev B) and Drainage Details (Drawing no. 513 Rev B).

Reason: To ensure that surface water and foul water is adequately drained and that the development would not result in increased flood risk, in accordance with policies W DM2 and W DM3 of the Arun Local Plan and policy 8a of the Bognor Regis Neighbourhood Plan.

- 5 The development hereby permitted shall be undertaken in accordance with the mitigation measures set out in the Flood Risk Assessment (prepared by Crouch Waterfall, dated November 2020), and shall be subject to existing flood warning and evacuation procedures set out in the Flood Emergency Plan for the Butlins site.

Reason: To ensure flood risk is suitably managed, in accordance with the National Planning Policy Framework and policy W DM2 of the Arun Local Plan.

- 6 The external lighting for the development hereby permitted shall accord with the details set out in the 'Butlins External Lighting - Temporary Venues Technical Note (prepared by Star Group Live Ltd. dated 03 March 2021). The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM2 of the Arun Local Plan.

- 7 Commercial deliveries related to the venue hereby approved that are delivered via the main Butlins entrance off Upper Bognor Road shall be between the hours of 06:00 - 20:00. No commercial deliveries related to the venue hereby approved and no commercial goods being loaded, unloaded, stored or otherwise handled in relation to the venue hereby approved shall

be via the Gloucester Road Butlins site entrance outside the hours of 07:00-19:00 Monday to Friday, 08:00-18:00 hours Saturday or at any time on Sunday or public holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 8 The use of the temporary venue hereby permitted shall not take place except between the hours of 0900 - 2300 hours Monday to Thursday, 0900 - 23:30 hours Friday and Saturday, and 0900 - 2300 hours Sunday and recognised public holidays, and all amplified sound/music and live music at the venue hereby permitted shall cease by 22:30 hours Monday to Thursday, 23:00 hours Friday and Saturday, and 22:30 hours Sunday and recognised public holidays. Patrons must egress the venue hereby approved strictly no later than by 2300 hours Monday to Thursday, by 23:30 hours Friday and Saturday and by 2300 hours Sunday and recognised public holidays.

The permitted hours of use stated above are with the exception of New Years Eve which will benefit from a 1 night exception where use of the venue is permitted until 00:30 hours and egress of the venue by patrons must be strictly no later than by 01:00 hours on New Years Day 2022.

For the avoidance of doubt, the current permission hereby granted supersedes the previous permission BR/292/20/PL including in respect of the special New Year's Eve opening hours, as set out above, to include New Years Eve 2021.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 9 The noise level emitted from the temporary venue hereby permitted shall not exceed 5 dB expressed in terms of an A-Weighted, 15 min Leq above background noise levels at any time between 0900 - 2300 hours Monday to Thursday, 0900 - 23:30 hours Friday and Saturday, 0900 - 2300 hours Sunday and recognised public holidays, and from opening hour on New Years Eve to 00:30 hours on the following day only, as measured at the specified noise monitoring points. Background noise levels shall be taken within 2 hours of the event.

Please refer to the following documents (Site Plan and photographs of new Noise Monitoring Locations, outlined in Butlin's planning application BR/232/21/PL) for the specific noise monitoring points. For the avoidance of doubt, the noise level shall include music noise, event noise, people noise and any other noises arising from the venue. Records from the noise monitoring shall be detailed in the logbook and made available to the Local Planning Authority on request. Noise measurement must be taken at a height of 1.2-1.5m above the ground, and at least 3.5m away from any reflecting surface other than the ground. Weather conditions that may affect noise measurements must be recorded in the logbook and provided to the Local Planning Authority on request.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 10 The noise level emitted from the temporary venue hereby permitted shall not exceed 70dB at any time within the 63Hz and 125Hz octave frequency (low frequency) when measured as a 15 min Leq at the specified noise monitoring points.

Please refer to the following documents (Site Plan and photographs of new Noise Monitoring Locations), outlined in Butlin's planning application BR/232/21/PL for the specific noise monitoring points. Records from the noise monitoring shall be detailed in the logbook and

made available to the Local Planning Authority on request. Noise measurement must be taken at a height of 1.2-1.5m above the ground, and at least 3.5m away from any reflecting surface other than the ground. Weather conditions that may affect noise measurements must be recorded in the logbook and provided to the Local Planning Authority on request.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 11 Sound level meters used for the assessment of noise in relation to this application shall conform to BS 61672-1, Class 1, for free-field application and sound calibrators to BS EN 60942, Class 1. To demonstrate conformity of the measuring system, sound level meters and calibrators shall have valid certificates of conformity to the above British Standards. These certificates are to be made available to the Local Planning Authority on request.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 12 The 'rating' level of noise emitted from the proposed plant, machinery and equipment installed at the venue shall not exceed the measured background sound level when assessed by a competent acoustician using BS 4142:2014+A1:2019, at any adjoining or nearby noise sensitive premises during the night time period (23:00 - 07:00). A test to demonstrate compliance with this condition shall be undertaken by a competent acoustician / consultant and must be recorded in a logbook and provided to the Local Authority on request.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 13 The 'rating' level of noise emitted from the proposed plant, machinery and equipment installed at the venue shall not exceed the measured background sound level when assessed by a competent acoustician using BS 4142:2014+A1:2019, at any adjoining or nearby noise sensitive premises during the day time period (07:00 - 23:00). A test to demonstrate compliance with this condition shall be undertaken by a competent acoustician / consultant and must be recorded in a logbook and provided to the Local Authority on request.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 14 The access and egress of patrons using the venue hereby permitted shall be proactively managed in strict accordance with the 'Temporary Venue Patron Access and Egress Management Plan', dated March 2021.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 15 Butlin's Noise Management Plan shall be updated to include the venue hereby permitted and the noise conditions relating to it.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 16 Details of all noise complaints received by the applicant in relation to the venue hereby permitted and subsequent corrective actions taken by the applicant shall be recorded in a logbook specific to the venue and made available to the Local Authority on request. If investigations by Arun District Council conclude that noise from the venue is causing unreasonable impact to local residents (based on failure to accord with noise limits set out in conditions 9, 10, 12 and 13), the applicant shall provide a scheme of mitigation, to be agreed

by the Local Planning Authority and subsequently implemented by the applicant.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 17 The newly installed sound amplification system (PA system) shall have a noise limiter (with control of noise as separate frequencies) with sound limiting device. All amplified entertainment taking place in the venue shall use this system, and no other PA system shall be used in this venue. Details of the type of noise limiter, number of noise limiter(s), who has control of the noise limiter(s), who resets them if triggered, what level they are reset at, who ensures they have not been tampered with shall be recorded in the logbook specific to the venue and available on request by the Local Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 18 Sound checks at the venue hereby approved are permitted only during the following times: 0900 - 2230 hours Monday to Thursday, 0900 - 2300 hours Friday and Saturday, 0900 - 2230 hours Sunday and recognised public holidays, and 00:00 on New Years Eve night, and shall not last more than 15 minutes.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 19 There shall be a named manager responsible for the venue hereby permitted, details of whom shall be recorded in the logbook. The logbook shall be available on request to the Local Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM1 of the Arun Local Plan.

- 20 INFORMATIVE: The applicant is advised that sanitary provision should be in accordance with the guidelines set out within the Arun District Council document entitled: 'Provision of sanitary accommodation in food businesses'.

- 21 INFORMATIVE: The applicant is advised that the business is required to submit a 'Food Registration Form' to the Environmental Health department 28 days before opening the temporary venue. Further advice can be given to the business, for example, on the internal layout of the food premises. If the applicant would like further advice please contact the Environmental Health Service on (01903) 737755.

- 22 INFORMATIVE: The applicant is advised that the revised Noise Management Plan should include the following 'Butlin's are to pro-actively inform the local residents of proposed events and times for performances which are to take place in the temporary venue

- 23 INFORMATIVE: The applicant must ensure that any public sewers are protected from the development and must abide by Southern Water's stand off distances. Further details can be found here: southernwater.co.uk/media/3011/stand-off-distances.pdf.

- 24 INFORMATIVE: The applicant is advised that it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

- 25 INFORMATIVE: Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer. To make an application visit: southernwater.co.uk/developing and please read the New Connections Services Charging Arrangements documents which are available on the website via the

following

link: southernwater.co.uk/connection-charging-arrangements.

- 26 INFORMATIVE: With regard bar area, applicants are advised to consult with Police Licensing at Sussex Police. Alcohol should not be stored on site or if it is, consideration given to siting of CCTV and intruder alarm.
- 27 INFORMATIVE: For the avoidance of doubt, the extended special New Years opening hours hereby approved, relates to all development within the red line site boundary shown on the Site Plan, and includes the rear extension to the Studio 36 venue approved under BR/234/21/PL.
- 28 INFORMATIVE: For the avoidance of doubt, the current permission hereby granted supersedes the previous permission BR/292/20/PL.
- 29 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.