

Recommendation Report for Planning Permission

REF NO:	BR/234/21/PL
LOCATION:	Butlins Upper Bognor Road Bognor Regis PO21 1JJ
PROPOSAL:	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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed rear extension to the existing 'Studio 36' entertainment building would be located on the southern/seaward side of the building. It would have the following approximate dimensions; 7.7m depth, 35m width with mono-pitched roof form with eaves height of 4.3m and a ridge height of 6.3m. It would be constructed of the following materials; Kingspan clad walls, double canvas roof, powder-coated aluminium framed doors with glazing. The extension would have an internal floor area of 244sqm and would accommodate back of house facilities, including performer dressing rooms, WCs and storage. No new plant equipment is proposed and the existing ventilation equipment serving the building would be re-located (moved southwards) within a fenced area to the rear of the new extension with its ductwork travelling over the extension's roof into the existing building. It is also proposed to upgrade the existing informal gravel parking area to the west of Studio 36 to macadam to provide 17 formal car parking spaces. The new extension is proposed for a temporary time period of 2 years (which would align with the further 2 years temporary permission sought for the Studio 36 building applied for under BR/232/21/PL).
SITE CHARACTERISTICS	The site is the Butlins holiday and entertainment resort at Bognor Regis. The area of the resort in question (the development site) is the area to the south of the existing temporary entertainment building known as 'Studio 36'. It 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/232/21/PL	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.	
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

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. This current application seeks planning permission for a rear extension to this approved building.

An application has also been received (ref. BR/232/21/PL) requesting a further 2 years temporary planning permission for the Studio 36 building (main building to which this application would be a rear extension).

REPRESENTATIONS

Bognor Regis Town Council -
No objection.

Bognor Regis Regeneration Board -
Supports the proposal.

1 letter of objection was received, summarised as follows:

- Concerns about noise impact of proposed development. Butlins promised only low level events would be held at the Studio 36 venue but it is not the case and local residents have to endure noise nuisance.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

The proposed development consists a rear extension (to the main building) providing back of house facilities including dressing rooms for performers, WCs, and storage, and is therefore not considered in itself to result in any significant noise impacts. The proposal for a further 2 years temporary planning permission for the main building Studio 36 is considered under a separate application ref. BR/232/21/PL where noise impacts will be considered in detail.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer:

No objection.

Will not make detailed comments but advise that Southern Water should be consulted due to proximity to a public surface water sewer and that the Environment Agency should be consulted in respect of coastal/fluvial flood risk.

Environment Agency:

No comments received.

Southern Water:

No objection.

Developer will need to apply to SW for any new connection to the foul public sewer, that a public sewer could be crossing the site and that if any sewer is found during construction works that its ownership must be ascertained before any further works commence, and that surface water may be discharged to the existing sewer provided it is at a rate of discharge no greater than existing contributing flows (note that submitted documents show a reduction in surface water contributing flows from the new development and inclusion of SUDs into the scheme).

Conservation Officer:

No objection.

There would be no inter-visibility between the heritage assets and the development site and the land covered by this application is not considered to form the setting of the heritage assets. It is therefore considered that the proposal will not cause harm to the setting to or significance of the various heritage assets in the local area.

Environmental Health:

No objection.

The new building will be for stage performers housing dressing rooms and wash facilities, with no new plant equipment.

WSCC Highways:

Comments received - 27/10/21

Request further information including on the anticipated trip rate for both the existing and proposed use, and to provide justification for the additional parking provision. Until this information is received final comments and a formal recommendation cannot be made by the Local Highways Authority.

Further comments received 25/11/21 -

No objection.

After review of the submitted documents and latest information presented by the applicants, the Local Highways Authority is satisfied that the proposed rear extension will better facilitate existing operations on site and will not generate any additional trips to the Butlins site. As such, it is not anticipated that the proposal will result in an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. It is understood that the car park works are required to improve upon and increase parking provision on site by 17 spaces (4 parallel spaces, 13 perpendicular). From inspection of the plan the spaces are suitably sized. Given the manoeuvring room, the perpendicular spaces would need to be accessed via a multi-point manoeuvre, which is considered acceptable in slow speed low flow situations such as in car parks like this. The applicant may wish to consider removing the 4 parallel spaces to improve accessibility of the perpendicular spaces, but this would be for the benefit of amenity rather than anything related to highway safety.

Natural England:

No comments to make. Confirm the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. LPA to determine impacts on protected species and whether proposals are consistent with national and local policies on the natural environment.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in detail in Conclusions section of report.

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
SDSP1A	SD SP1a Strategic Approach
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
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
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
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
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:

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 issues in the determination of this application are as follows:

- Impact on visual amenity

- Flooding and drainage

Others matters of consideration include; principle of development and impact on heritage, residential amenity, highways and parking, and ecology designations.

PRINCIPLE OF DEVELOPMENT -

Arun Local Plan (ALP) policy SD SP2 states new development should be focussed in the Built-up Area Boundary (BUAB). Policy SD SP1(a) seeks to promote and enable development which supports the main coastal town of Bognor Regis' role as a main service, employment, retail and social centre, which includes enabling development that supports Bognor Regis as a holiday centre. Policy TOU SP1 encourages sustainable tourism development where it protects as well as promotes the main tourism assets and sets out a number of criteria for tourism growth. Policy TOU DM1 supports proposals for development, including expansion, which are likely to attract visitors provided that it meets certain criteria including (a) are in accessible locations; (b) are accompanied by workable and realistic travel plans; (c) address visitor management issues; and (d) achieve good design.

Policy 8d (Butlins resort) of the Bognor Regis Neighbourhood Plan states the "enhancement and development of this major tourist destination on this site will be encouraged subject to compliance with other policies in this plan". Policy 7 states "the Neighbourhood Plan recognises the crucial importance the tourist industry has for the Bognor Regis economy. Where proposals comply with other policies in this plan, development of new and existing tourist facilities will be supported, as a crucial part of improving Bognor Regis as a visitor destination."

The site is within the Built-up Area Boundary. The proposed extension would provide improved back of house facilities for Butlins staff and performers which would support the running of shows within Studio 36 and provides an enhancement of the existing tourist facilities within the Butlins resort. The proposals would thereby support the major tourist destination of Butlins which is a key tourism asset in Bognor Regis and promotes the towns role as a holiday centre. Accordingly, the development is acceptable in principle, subject to meeting all other Development Plan policies, in accordance with Arun Local Plan policies SD SP2, SD SP1(a), TOU SP1 and TOU DM1 and Bognor Regis Neighbourhood Plan policies 8d and 7.

VISUAL IMPACT -

Arun Local Plan policy TOU DM1 states proposals for visitor attractions/facilities, which includes expansion, will be supported provided they, amongst other things, (d) achieve good design. ALP design policy D SP1 states that developments should seek to make efficient use of land but reflect the characteristics of the site and local area in various respects. Policy D DM1 sets out the aspects for form and design quality of new development, including character, layout and scale. Policy D DM4 relates to extensions to residential and non-residential buildings, and requires that extensions; sympathetically relate to and visually integrate with the host building and visually subservient to the main building.

The Council's adopted Design Guide SPD (2020) provides detailed guidance on good design practice for development in the District.

Policy 8a of the Bognor Regis Neighbourhood Plan states that major developments shall demonstrate 'excellence in design' and that a central part of this is responding to and integrating with local surroundings.

The proposed extension would span the entire width of the rear of the main building (Studio 36) but would project only around 1/7th of the main building's total depth and would be set lower down than the main building with a pitched roof and ridge height of 6.3m. As such, given the extension's size, form and proportions in relation to the main building it would appear visually subservient to the host building. Its design and materials would sympathetically relate to and visually integrate with those of the host building.

Overall, the extension and main building would be broadly in keeping with the general scale and appearance of other buildings in the resort. The materials would be appropriate and reflect the temporary nature of the structures. Given their location in the resort, although readily visible from the seafront Promenade and upper levels of surrounding residential properties, the structures would be read in the context of the other buildings within the resort, and would not appear visually prominent nor out of character. Whilst the proposals would not be exceptional in design terms nor demonstrate excellence in design the structures would be temporary not permanent features and would integrate sufficiently with their surroundings.

In conclusion, the proposed extension would appear visually subservient and integrate well with the main building, reflect the character of the site and would have an acceptable impact on the visual amenity of the area, in accordance with the NPPF and Arun Local Plan policies TOU DM1, D SP1, D DM1 and D DM4 and Bognor Regis Neighbourhood Plan policy 8a.

FLOODING AND DRAINAGE -

The site is in Flood Zone 3. In accordance with the NPPF, a Sequential Test (which seeks to direct new development to areas with lowest risk of flooding) is ordinarily required for sites in Flood Zones 2 & 3 and where a Sequential Test has not already been done for development of the type proposed on the site

(which it has not). However, in this case, since the proposed extension would qualify as a 'minor non residential extension' (commercial/leisure extension with footprint less than 250sqm) then it would be exempt from the need for a Sequential Test.

The proposals would result in an increased building footprint of around 248sqm and is located in Flood Zone 3(a). The NPPF requires Flood Risk Assessments (FRAs) to be submitted for all development within Flood Zones 2 and 3.

A Flood Risk Assessment was submitted under BR/292/20/PL for the main Studio 36 building and included the area of land where the proposed extension would be sited. The FRA demonstrated that the proposed facility would be safe and would not increase flood risk elsewhere. With regard to potential flooding from tidal sources, the FRA concluded the presence of sea defences (maintained by the Environment Agency) immediately to the south protect the site from the English Channel and tidal flooding. With regard fluvial flooding, the FRA confirmed that the nearest local watercourse (Aldingbourne Rife) terminates with an outfall to the sea during low tide together with a non-return system and pumped outfall (i.e. mechanically managed) during high tide events. In the case of waves overtopping the sea wall or a breach in the sea defences, the FRA stated that users of the proposed temporary building would be evacuated to areas of the wider site elevated above 4.5m AOD. The FRA stated as the new building will be used for current guest numbers on the Butlins resort, the existing emergency evacuation procedures remain valid. The FRA concluded that pluvial, sewage, groundwater and surface water flooding risk is low. The Environment Agency was consulted and confirmed they had no objection. They strongly recommended the use of flood resistance and resilience measures (e.g. special construction materials, physical barriers flood doors, and raised electrical fittings). They advised the NPPG states that in determining whether a development is safe, the ability of users to safely access and exit a building during a flood event and evacuate needs to be considered, which includes the use of adequate flood warnings. A planning condition was accordingly applied to BR/292/20/PL to secure compliance with the FRA, to include flood resistance and resilience measures in the design of the building, and to accord with existing emergency evacuation procedures for the site (which should include being registered for the EA flood warnings).

No revised FRA has been submitted with this current application but the previous FRA approved under BR/292/20/PL included the area of land where the proposed extension would be sited and its findings and recommends apply in this current case. The Environment Agency have been consulted on the current application but have provided no comment (and no objection). As such, a planning condition will be applied, as before to BR/292/20/PL, to secure compliance with the FRA, to include flood resistance and resilience measures in the design of the building, and to accord with existing emergency evacuation procedures for the site (which should include being registered for the EA flood warnings).

In respect of surface water drainage, permission BR/292/20/PL for the main Studio 36 building was subject to a planning condition requiring compliance with the approved surface water drainage scheme. The Council's Drainage Engineers have been consulted on this current application for the proposed extension and have confirmed they will not make detailed comments (and have made no objection) but advise that Southern Water should be consulted due to proximity to a public surface water sewer and that the Environment Agency should be consulted in respect of coastal/fluvial flood risk.

The proposed extension would include additional WC facilities. Southern Water have been consulted on this current application and raise no objection to the application. They advise; that the developer will need to apply to SW for any new connection to the foul public sewer, that a public sewer could be crossing the site and that if any sewer is found during construction works that its ownership must be ascertained before any further works commence, and that surface water may be discharged to the existing sewer provided it is at a rate of discharge no greater than existing contributing flows (they note that submitted documents show a reduction in surface water contributing flows from the new

development and inclusion of SUDs into the scheme). These will be added as informatives to the decision.

In conclusion, subject to a planning condition to secure compliance with the FRA, surface water drainage and foul water drainage schemes approved under BR/292/20/PL, the proposals would be safe from flood risk, not increase flood risk elsewhere and provide adequate drainage, in accordance with the NPPF, policies W DM2 and W DM3 of the Arun Local Plan, and policy 8a of the Bognor Regis Neighbourhood Plan.

HERITAGE IMPACT -

Arun Local Plan policy HER SP1 requires that development proposals must conserve or enhance the historic environment, which includes the highest protection being given for designated heritage assets including listed buildings/structures, their settings and Conservation Areas. ALP policy HER DM1 seeks to protect the settings of listed buildings. ALP policy HER DM3 requires that development preserve or enhance the character or appearance of Conservation Areas.

Policy 1 of the Bognor Regis Neighbourhood Plan requires that proposals for major developments must identify the significance of any affected heritage asset and assess any harm and benefit.

Paragraph 195 of the NPPF requires the LPA to identify and assess the significance of any heritage assets affected by a proposed development. There are a number of heritage assets around the Butlins complex. These include the Upper Bognor Road and Mead Lane Conservation Area, Hotham Park Grade II listed park and an important and imposing set of principally late 18th century buildings fronting Upper Bognor Road, which were built by Sir Richard Hotham as part of the original plan to make Bognor Regis attractive as a holiday resort. A number of these buildings are designated heritage assets (listed).

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset 'great weight' should be given to the heritage assets conservation. Para 202 states that where proposals would lead to 'less than substantial harm' to the significance of a heritage asset, this harm should be weighed against the public benefit of the proposal. The existing Butlins complex is large in scale and there a number of buildings within the complex that are located between the proposed development site and the various heritage assets to the north. The proposed extension to the Studio 36 building would be sited to the south behind the existing building and at a lower level, reducing its visibility in relation to the heritage assets to the north. The Council's Conservation Officer confirmed that there would be no inter-visibility between the heritage assets and the development site and that the land covered by this application is not considered to form the setting of the heritage assets. It is therefore considered that the proposal will not cause harm to the setting to or significance of the various heritage assets in the local area.

The proposals would conserve the historic environment, including the settings of listed buildings, parks and the Conservation Area and would preserve the character and appearance of the nearby Conservation Area, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, Arun Local Plan policies HER SP1, HER DM1 and HER DM3 and Bognor Regis Neighbourhood Plan policy 1.

RESIDENTIAL AMENITY IMPACT -

Arun Local Plan Policy D DM1 requires 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, DM2 and DM3 seek to protect residents from noise, light and air pollution. Policy TOU DM1 supports proposals for tourism development, including expansion, which are likely to attract visitors provided that it meets certain criteria including (c) address visitor management issues. Policy D DM4 in respect of extensions to existing buildings requires that (c) the extension or alteration does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

Paragraph 127 (f) of the NPPF states that development should have a high standard of amenity for existing and future users.

The siting of the proposed extension deep within the resort a far distance from neighbouring residential properties means it would not result in any overshadowing, overbearing or overlooking to neighbouring occupants. In terms of noise and disturbance, again its location within the resort and its proposed function providing back of house facilities including dressing rooms for performers, WCs, and storage, would not result in any significant noise and disturbance impacts to neighbouring occupants (and does not require conditions as applied to BR/292/20/PL in respect of performance noise levels). No new plant equipment is proposed, only its re-location further southward to the back of the new extension. The Council's Environmental Health Officer has confirmed they have no objection since the new building will be for stage performers housing dressing rooms and wash facilities, with no new plant equipment. Planning conditions will be applied as per BR/292/20/PL in respect of times for deliveries and times of use to protect local residential amenity. Given the scale of the extension, a Construction Management Plan is not considered necessary.

In conclusion, the proposed extension would have an acceptable impact on residential amenity, in accordance with the NPPF and policies D DM1, D DM4, QE SP1, QE DM1, QE DM2, QE DM3, and TOU DM1.

HIGHWAYS IMPACT:

Regard should be had to para 111 of the NPPF which states: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". Arun Local Plan policies T SP1 and T DM1 relate to matters of safe and suitable site access, parking provision and encouraging sustainable modes of transport. Arun District Council Parking SPD (2020) sets out parking standards for different types of uses. Policy 6 of the Bognor Regis Neighbourhood Plan requires major developments must demonstrate... no severe cumulative transport impact.

The proposals include the upgrade the existing informal gravel parking area to the west of Studio 36 to macadam to provide 17 formal car parking spaces.

The Local Highways Authority (LHA) WSCC on consultation requested further information, including on the anticipated trip rate for both the existing and proposed use, and to provide justification for the additional parking provision, prior to being able to make final comments and a recommendation.

The applicant has since confirmed that; no new or additional trips would be generated since the proposal is for back of house facilities to serve existing performers and staff who currently support the running of Studio 36 (i.e. not for new/additional performers, staff or visitors). The applicants have also confirmed that the provision of the 17 formal parking spaces to the west of Studio 36 is not to serve the new back of house extension but rather to contribute additional parking given the long-standing car park capacity issues, especially in the central part of the site.

The LHA have been re-consulted and have commented as follows;

After review of the submitted documents and latest information presented by the applicants, the Local Highways Authority is satisfied that the proposed rear extension will better facilitate existing operations on site and will not generate any additional trips to the Butlins site. As such, it is not anticipated that the proposal will result in an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore it is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

It is understood that the car park works are required to improve upon and increase parking provision on site by 17 spaces (4 parallel spaces, 13 perpendicular). From inspection of the plan the spaces are suitably sized. It is noted that the manoeuvring room between the perpendicular and parallel spaces is 5.5 metres. It is widely accepted within Manual for Streets Guidance that 6.0 metres manoeuvring room is required to access perpendicular spaces in one movement. Based on the plans provided, it would be anticipated that these new perpendicular spaces would need to be accessed via a multi-point manoeuvre, which is considered acceptable in slow speed low flow situations such as in car parks like this. The applicant may wish to consider removing the 4 parallel spaces to improve accessibility of the perpendicular spaces, but this would be for the benefit of amenity rather than anything related to highway safety.

In conclusion, the reasoning provided by the applicant is satisfactory and the LHA have confirmed that the proposals would not result in any significant impacts on the operation and safety of the highway network. The proposals would therefore accord with para 111 of the NPPF, policies T SP1 and T DM1 of the Arun Local Plan and policy 6 of the Bognor Regis Neighbourhood Plan.

DESIGNATED ECOLOGY SITES IMPACT -

Arun Local Plan policy ENV SP1 states the Council will promote the preservation, restoration and enhancement of biodiversity and the natural environment, including protecting designated and non-designated sites (which includes Ramsars, SPAs, and SSSIs).

Policy ENV DM1 requires that designated sites of biodiversity and geological importance (including SSSIs) will be protected, unless there is strong justification for not doing so.

ALP policy ENV DM2 requires that new development must not have a detrimental impact on Pagham Harbour Ramsar and SPA, and requires that new residential developments or any development likely to have an impact within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution toward the management of Pagham Harbour and/or create accessible natural open green spaces to serve the area to mitigate any impacts.

The site is located within the Pagham Harbour SPA/Ramsar 400m-5km Zone B buffer zone and within close proximity of the Bognor Reef SSSI and within 2km of the Felpham SSSI. Given the nature of the proposals which consists of new commercial/leisure floorspace (a minor building extension) on an existing leisure resort (and not residential development or additional visitor overnight accommodation), it would not result in increased recreational disturbance to Pagham Harbour from an increased population, nor pollution impacts. It is therefore concluded the proposals would be unlikely to have any impact on Pagham Harbour and would accord with ALP policy ENV DM2. Natural England do not need to be consulted on non-residential development in respect of Pagham Harbour. The LPA conclude an Appropriate Assessment does not need to be undertaken in this case as the proposals would be unlikely to result in any impact and thus would have no adverse effect on the integrity of the Pagham Harbour Ramsar and SPA.

In respect of the 2 SSSIs, Natural England have been consulted, and confirm they have no comments to make. NE confirm the application is not likely to result in significant impacts on statutory designated

nature conservation sites or landscapes. Given the nature of the proposals, which would not result in increased guest numbers on the wider resort than normal levels and would not lead to increased visitors to the area, the LPA concludes the proposals would be unlikely to have any impact on the SSSIs and would accord with policies ENV SP1 and ENV DM1.

The proposals would not have an adverse impact on designated sites for conservation and would preserve the natural environment, in accordance with the relevant legislation, and policies ENV SP1, ENV DM1 and ENV DM2 of the Arun Local Plan.

SUMMARY -

The proposals for an extension to the existing Studio 36 entertainment building at Butlins resort have been assessed to have an acceptable impact, subject to planning conditions, 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, the NPPF 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:

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 structure (extension) and use permitted shall be in place and in use for a temporary period of 2 years from the date of this planning permission. After such 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 impacts of the main building (Studio 36 permitted under BR/292/20/PL) to which this is an extension on the local area and residential amenity of local occupants over a reasonable period and to limit any 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:

- 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 policies D SP1, D DM1, D DM4 and QE SP1 of the Arun Local Plan.

- 3 No construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no work on Sunday or recognised public holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1, QE DM1 and QE DM3 of the Arun Local Plan.

- 4 The extension 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

- 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 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.

- 7 The use of the back of house extension (to 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 any amplified sound/music and live music shall cease by 22:30 hours Monday to Thursday, 23:00 hours Friday and Saturday, and 22:30 hours Sunday and recognised public holidays. Staff and performers of the venue must egress the back of house extension 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.

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

- 8 Commercial deliveries related to the extension 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 extension hereby approved and no commercial goods being loaded, unloaded, stored or otherwise handled in relation to the extension 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.

- 9 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 and QE DM4 of the Arun Local Plan.

- 10 INFORMATIVE: The applicant is advised that sanitary ware provision (i.e. toilets etc) should be in accordance with the guidelines set out within the Arun District Council document entitled: 'Provision of sanitary accommodation in food businesses'.
- 11 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.
- 12 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.
- 13 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.
- 14 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.