

[REDACTED]

From: Simon Davis
Sent: 01 June 2020 11:49
To: Planning Scanning
Subject: FW: BR/282/19 - The Beach Hotel, former Mud Club & 2-4 Waterloo Square Bognor Regis

Application Correspondence label as "Agent Response to Summary of Issues"

From: Simon Robinson <[REDACTED]>
Sent: 27 May 2020 10:43
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Re: BR/282/19 - The Beach Hotel, former Mud Club & 2-4 Waterloo Square Bognor Regis

Dear Simon,

Following our conversation yesterday, I would like to make the following response to your points raised in your email below. I understand we are all under pressure and was willing to work with you to provide a building we all can be proud of. I understand that you will be discussing this in depth next week but thought I would update you on your position and potential concerns so that we can move forward.

Please see comments below:

(1) Design – Design Adviser objections.

This is only an advisers' view and all other "advice" we have received has been either contradictory, sometimes not fully understanding the proposals, or not consistent. We have replied to your adviser's report (which has been sent to you in a statement previously) however feel we have been more than patient and tried incorporating design changes wherever possible, however this cannot be a "designed by committee" proposal.

The amended proposals have also been received well with many positive comments.

Please note we have been advised back in April 2017 by Design South East, that a 6 storey building can be approved on this site with no setbacks and no stepping just a single height + an additional storey and that they disagreed with your Conservation and Design Adviser's response?

We have worked very hard to reduce the impact and massing, increase the articulation, reduce the number of units, improved mix and size of the units and improved the quality of the built environment by providing a quality building that respects its location.

We are very alarmed at your comment regarding "no further negotiation" as we haven't had any feedback from you or chance to discuss our proposals or negotiate anything yet?

(2) Heritage – Conservation Officer argues less than substantial harm so need to weigh harm against benefits.

We have already stated that we cannot see what "harm" our proposals will have on the conservation area. It will only substantially improve the area and complete the esplanades' frontage with a quality building.

(3) Affordable housing – policy requirement is 10.5 dwellings so 10 homes plus a payment of £40,000 in lieu of the additional 0.5 of a dwelling. Application states this should be reduced due to VBC and they are prepared

to offer a commuted sum of £300,000 which is equivalent of 3.75 homes (this is £540,000 short if we were to accept a 100% commuted sum).

It is a fact that vacant buildings were there before, re development was always the intention (prior meetings with Karl Roberts) and that VBC should be applied.

Please note that without VBC ANY scheme on this site will not be viable. As you are aware our proposed unit numbers have already significantly reduced from 49 to now 35 which also has a major impact on the scheme's viability.

This will be an even bigger problem with property values most likely reducing due to the current financial situation caused by Covid 19 !

- (4) Site is CIL exempt but can still do S.106 for off-site infrastructure. This has not yet been prepared due to conflict over affordable housing. Pagham commuted sum of £30,485 will be required. Also, County infrastructure sums (confirmed 20/05 – consultation on the website). Also, potential play/POS/leisure contributions – Leisure/Landscape have until end of May to respond.

Noted as required.

- (5) WSCC Highways argue insufficient info at the present time as they need an updated RSA, swept path tracking diagrams re parking spaces & loading area and also details of trip generation. Request was sent to agent 27/04.

Bright Plan Ltd are preparing a response to WSCC which has been chased and should be available prior to 1/6/20 council virtual meeting.

- (6) Residential Parking – only 5 spaces shown therefore short by 30 spaces as per our standards. WSCC have no objection on highway safety grounds but ADC can consider amenity impacts of this under provision. SPD does however say flexibility for flats and TC locations.

SPD states flexibility as this is a Town Centre location, please note there never has been parking on this prominent site.

Not for the Night Club use or the total of 15 other residential units that were approved/ existing prior to this application.

So not a reason for refusal.

- (7) Commercial parking – none provided. WSCC say is fine as not uncommon in seafront location.

Agreed – WSCC approve, so not a reason for refusal.

- (8) Overlooking between FF east elevation windows of smaller rear block and rear FF windows of flats in 24 Lennox Street

The proposals have deliberately been set back from Norfolk Street, including the unit at 24 Lennox Street that you mention.

Please note that ALL other existing properties along Norfolk Street are much closer with greater amounts of overlooking. Therefore a precedent already exists.

It may also be noted that before the existing buildings were knocked down, first floor windows were much closer to all units on Cavendish House. It therefore remains questionable why Cavendish House was given approval with a worse situation?

This should therefore not be a reason for refusal.

This is not uncommon in a historic town however our proposals greatly improves on the current condition. Effort has gone into rationalising every elevation to provide a coherent building with a logical facade treatment that respects the conservation area.

A simple resolution would be to move the living room doors / windows around the corner to activate the elevation in between the two proposed buildings which would remove this issue should it be thought necessary. This may however effect the enjoyment of some of the apartments having glimpsed views of the waterfront.

(9) Overlooking between 1st and 2nd floor windows on rear section of larger front block and the existing 1st & 2nd floor windows of flats above rear 3 storey part of 5 Norfolk Street (Cavendish House).

See note above, our proposal improves on the previous condition. This is 1 apartment as the other window is to a non-habitable room being a stair core.

Arun District Council have already approved a previous scheme with much closer overlooking?! So again not a reason for refusal.

(10) Overshadowing of windows of flats on Norfolk Street.

The same could be said of Cavendish house when it was given approval. It also overshadows our proposals. As before our scheme is set further back into the site than the previous building line so has less of an impact. Approval has already been given so cannot see why this has now changed?

(11) Some conflict with Arun Design Guide in that not all flats have access to external space.

On such a small site it is impossible to provide every apartment with the same amenity space. Given it's location, the site is in very close proximity to open areas and areas for relaxation and amenity.

Our Group Head of Planning has made it clear that this application needs to be progressed to a decision and that we can't look to negotiate further. Therefore, we will not accept any further changes unless you wish to withdraw the application. We may then be able to have a meeting to agree a way forward before any resubmission.

As mentioned a withdrawal of the application would not achieve anything other than start the whole process again, with the same comments. It would simply be restarting the planning process again incurring further costs only to move the application off the council's "overdue" list. As mentioned we have been very accommodating and willing to work with Arun District Council accepting extensions of time and had thought we could work with you after your email stating:

"I have spoken to my Team Leader and we can accept the revisions provided that you can agree to an Extension of Time which will take in the July DC Committee Meeting. This will allow us to properly advertise & consider the amended scheme, work through any changes with you, take the application to Committee and allow time for the signing of the Section 106 Agreement. Therefore, please indicate your agreement to an EoT until 31/07/20".

I would appreciate it if, provided the above items can be agreed on, that you now recommend this for approval so that this scheme can finally move forward rather than leaving an empty unused site which is doing more harm to the conservation area than any of our proposals.

I await your decision with the hope that with our recent statement and answers to your concerns above that you can look on this application favourably now and recommend for approval.

I look forward to hearing from you soon.

Regards

From: Simon Davis <Simon.Davis@arun.gov.uk>

Date: Thursday, 21 May 2020 at 18:01

To: Simon Robinson

Subject: BR/282/19 - The Beach Hotel, former Mud Club & 2-4 Waterloo Square Bognor Regis

Dear Simon,

Thanks for your message. We are going to have an internal virtual meeting in w/c 01/06/20 to agree how to determine the application.

I have identified the following issues with the application proposals and I provide these to you for information. This list does not set out refusal reasons as we need to weigh up any conflicts with the benefits of the proposals/any other material considerations.

- (1) Design – Design Adviser objections.
- (2) Heritage – Conservation Officer argues less than substantial harm so need to weigh harm against benefits.
- (3) Affordable housing – policy requirement is 10.5 dwellings so 10 homes plus a payment of £40,000 in lieu of the additional 0.5 of a dwelling. Application states this should be reduced due to VBC and they are prepared to offer a commuted sum of £300,000 which is equivalent of 3.75 homes (this is £540,000 short if we were to accept a 100% commuted sum).
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Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |

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