

DECISION NOTICE

Application Ref: BR/292/20/PL

1 To Addressee

Walsingham Planning
Bourne House
Cores End Road
Bourne End
SL8 5AR

2 Site Address

Butlins
Upper Bognor Road
Bognor Regis
PO21 1JJ

3 Description of Development

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.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to the following conditions.

- 1 The structures and use permitted shall be in place and in use for a temporary period of 1 year 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 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:

- 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)

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 construction works (and any associated demolition works) shall be undertaken in strict accordance with the Construction Management Plan ('Safe System of Work and Construction Phase Plan', prepared by Star Group Live Ltd, Version F, dated 4 March 2021).

Reason: To ensure acceptable impacts on highways safety and the operation of the highways network, and to ensure acceptable impacts on the residential amenity of local occupants, in accordance with the National Planning Policy Framework, policies T SP1, T DM1, QE SP1, QE DM1, QE DM2, and QE DM3 of the Arun Local Plan, and policy 6 of the Bognor Regis Neighbourhood Plan.

- 4 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.

- 5 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.

- 6 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.

- 7 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.

- 8 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.

- 9 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.

- 10 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.

- 11 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.

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

- 12 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, and 0900 - 2300 hours Sunday and recognised public holidays, 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 Noise Monitoring Locations, received date 08/03/2021) 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.

- 13 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 Noise Monitoring Locations) 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.

- 14 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.

- 15 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.

- 16 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.

- 17 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.

- 18 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.

- 19 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 12, 13, 15 and 16), 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.

- 20 Any sound amplification system (PA system) to be installed at the venue hereby approved shall have a noise limiter (with control of noise as separate frequencies) with a 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 be 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.

- 21 A noise propagation test shall be carried out prior to first commercial use of the venue hereby permitted in order to set appropriate control limits for the sound amplification system and noise limiter. The results of the test shall be recorded in the logbook and made available 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.

- 22 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, and 0900 - 2230 hours Sunday and recognised public holidays 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.

- 23 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.

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'.

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

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.

INFORMATIVE: The applicant must 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.

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.

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.

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.



Neil Crowther
Group Head of Planning

Case Officer: Ms Myer

Decision Issued: 11th March 2021

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on

highway land).