

Recommendation Report

Application No. BR/341/10

Committee ☒ - Date 26/5/11

Delegated ☐

	Date	Signature
Prepared by Case Officer	12/5	
Agreed by Team Leader	12/5	
Agreed by H.O.P.S. / P.C.M. (if required)	13/5	
O.S. Extract requested		

Comments:

Tuan - A couple of comments Regards Nick.



APPENDIX 1

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31 March 2011

The Chief Planning Officer
Local planning authorities in England

Dear colleague

PLANNING FOR GROWTH

I am writing to draw your attention to the important announcements made in support of last week's Budget. The Growth Review contains ambitious proposals for further planning reform, to ensure that planning supports the sustainable development that we need as the country emerges from recession. A useful summary of the announcements can be found at:

<http://www.communities.gov.uk/newsstories/planningandbuilding/1872022> which you may find helpful for wider briefing.

These objectives need to inform the decisions that local planning authorities are taking now – through plan production as well as development management. The Minister for Decentralisation issued a Written Ministerial Statement on 23 March (**Annex A** to this letter) to emphasise this point and this statement is capable of being regarded as a material planning consideration. Your attention is drawn especially to the weight that the Secretary of State will give to this statement in cases that come before him for decision. I have also attached on **Annex B** further advice on planning obligations. I last wrote to you in May 2009 on this issue and in the light of the written Ministerial Statement take this opportunity to bring this advice up to date.

The Growth Review also announced important changes relating to previously-developed land and buildings. The Government will, through the National Planning Policy Framework, localise choice about the use of previously developed land by removing the national target for the amount of housing development that should take place on previously developed land (the 'Brownfield target').

Finally we will also begin consultation very shortly on the Government's proposals to change the Use Classes Order so that it is easier to convert vacant commercial premises to housing.



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Annex A Written Ministerial Statement: Planning for Growth (23 March 2011)

The Minister of State for Decentralisation (Mr. Greg Clark):

The Chancellor of the Exchequer has today issued a call to action on growth, publishing an ambitious set of proposals to help rebuild Britain's economy. The planning system has a key role to play in this, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. We will work quickly to reform the planning system to achieve this, but the Government recognises that many of these actions will take some months to deliver, and that there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth. This statement therefore sets out the steps the Government expects local planning authorities to take with immediate effect.

The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

The Chancellor has today set out further detail on our commitment to introduce a strong presumption in favour of sustainable development in the forthcoming National Planning Policy Framework, which will expect local planning authorities to plan positively for new development; to deal promptly and favourably with applications that comply with up-to-date plans and national planning policies; and wherever possible to approve applications where plans are absent, out of date, silent or indeterminate.

Local planning authorities should therefore press ahead without delay in preparing up-to-date development plans, and should use that opportunity to be proactive in driving and supporting the growth that this country needs. They should make every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth, taking full account of relevant economic signals such as land prices. Authorities should work together to ensure that needs and opportunities that extend beyond (or cannot be met within) their own boundaries are identified and accommodated in a sustainable way, such as housing market requirements that cover a number of areas, and the strategic infrastructure necessary to support growth.

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable

communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

To further ensure that development can go ahead, all local authorities should reconsider, at developers' request, existing section 106 agreements that currently render schemes unviable, and where possible modify those obligations to allow development to proceed; provided this continues to ensure that the development remains acceptable in planning terms.

The Secretary of State for Communities and Local Government will take the principles in this statement into account when determining applications that come before him for decision. In particular he will attach significant weight to the need to secure economic growth and employment.

Benefits to the economy should, where relevant, be an important consideration when other development-related consents are being determined, including heritage, environmental, energy and transport consents. The Secretary of State for Culture, Olympics, Media and Sport, the Secretary of State for the Environment, Food and Rural Affairs, the Secretary of State for Energy and Climate Change and the Secretary of State for Transport have consequently agreed that to the extent it accords with the relevant statutory provisions and national policies, decisions on these other consents should place particular weight on the potential economic benefits offered by an application. They will reflect this principle in relevant decisions that come before them and encourage their agencies and non departmental bodies to adopt the same approach for the consents for which those other bodies are directly responsible.



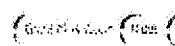
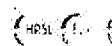
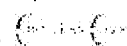
M&H Property Investments

DURBAN ROAD, BOGNOR REGIS

Final Draft Report

June 2008

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1.0 Introduction and Scope of Report.

- 1.1 We are instructed to prepare an Employment Land Study, which is to form part of the material to be submitted by way of an appeal against the refusal of planning permission for the erection of a three storey residential block at the junction of Durban Road and Ash Grove, Bognor Regis comprising 14 flats (8, 1 bedroom and 6, 2 bedrooms).
- 1.2 A vacant 2 storey purpose built office building situated on the site which is roughly triangular in shape as shown in the building plan in **Appendix 1**. The surrounding area is primarily residential in character to the west and south, with a large industrial estate to the east. The Industrial estate extends to approximately 10.07 hectares and the application site is very small at no more than 0.11 hectares. It is clear from inspection that the existing building is economically obsolete and this is demonstrated by the lack of any success in finding an occupier despite marketing since July 2007. This is due to the unusual nature of the building together with its poor condition and nature of the building, as shown in plate 1 overleaf.
- 1.3 The previous application, to change the use of the site to residential use, was refused in the terms of a Notice of Refusal dated 14th January 2008. The grounds given for refusal included Reason No 1:-

"The proposal will mean the loss of an existing important employment site. There is a need for further employment provision within the area and the loss of existing floor space would require further allocations elsewhere. No evidence has been produced that the site has been marketed for business purposes and that the site is redundant for these purposes. The proposal is therefore contrary to policy NE5 of the West Sussex Structure Plan."

- 1.4 We are instructed to address the points made in Reason for Refusal No.1. We have approached our brief from a market perspective to assist the Inspector to decide if the evidence infact shows that the site may be re designated for residential purposes without harm to the industrial land

position in the local authority area. Although we have necessarily considered the planning policy context, Mr. Graham House will deal with policy issues in his planning statement in support / report.



Plate 1. The Existing Building on the Application Site.

1.5 In summary we are therefore instructed to prepare a market focused Employment Land study in order to report our findings in relation to the following:

- The suitability of the application site and the existing building to accommodate B class uses;
- The general planning context in terms of employment land;
- The general market context including regional trends, the nature of the demand for employment land and buildings with particular reference to the economy and employment in the subject location.

- The current supply of employment land and buildings within the area governed by Arun District Council with comments on the wider market area.
- A qualitative assessment of the available stock and supply pipeline;
- Our comments on the findings of the Atkins Report on Employment needs and land use requirements for the local area.
- Our conclusions as to whether the site may reasonably be described as "an important employment site"
- Whether the loss of the site will result in a need for "further employment provision" requiring "further allocations elsewhere".
- The facts relating to whether "the site has been marketed for business purposes".
- Our general conclusions arising from our study and, in particular, whether it can be demonstrated that the application site has no realistic prospect of being reused for office / industrial or warehouse purposes and if not it should be released for other purposes.

1.6 Our study incorporates the area governed by Arun District Council, however it should be appreciated that market practice and activity is not constrained by District or Borough boundaries and we have therefore commented on the wider market context.

1.7 Grant Mills Wood specialise in the B-class property sector practicing on a nationwide basis. The author of this report, John Stephenson FRICS MCIArb, has over 30 year's experience of this market. In addition to acting for landlords and tenants in relation to the sale, acquisition and development of B class property in the subject area and elsewhere, Mr. Stephenson also receives appointments from the President of the Royal Institution of Chartered Surveyors to act as Arbitrator or Independent Expert in determining property disputes relating to B1, B2 or B8 land and premises in this locality. We have also undertaken similar studies in the wider area including, Havant, Portsmouth, Southampton and Brighton.

- 1.8 The site and surrounding area is well known to us and we therefore consider that we are suitably qualified to undertake this report.

2.0 The Appeal Site Its Location and the Existing Building.

- 2.1 The site lies on the corner of Durban Road and Ash Grove (A location plan is attached as **Appendix 2** and a site plan as **Appendix 3**.) The existing building was in employment use but not as part of the original industrial estate, having been erected independently at a later date as a purpose built specialist unit for a particular user. Its scale and appearance are domestic / residential in character (as shown in plate 1) and its location is more sympathetically related to the residential areas to the west and south than to the employment area to the east, particularly taking into account the residential development now completed on the south side of Durban Road, formerly Industrial Unit O. Access will be from Durban Road, at approximately the same point as currently used for access to the existing building. The site is reasonably connected to the local road network but lorries using the industrial estate need to travel through residential roads.
- 2.2 The building is of block construction with pitched walls on the first floor and a flat roof it is centered on a tarmacadum surfaced yard and parking area with unkept landscaping. The property has a ground floor net area of 113 sq meters comprising 5 offices plus there is a kitchen area. The first floor has a net area of 118 sq meters comprising store, main store, store/loading area, private room and boiler.

3.0 Planning Context

- 3.1 In terms of any change of use from employment land to residential, there is no material Local Plan policy against which it should be tested but we are advised that the only relevant policy is Policy NES of the West Sussex Structure Plan 2001 - 2006. This is a wide ranging policy dealing with the development of employment premises and the release of employment land; it requires district authorities to allocate land for new employment uses to meet Structure Plan requirements and to safeguard "land or

premises currently or recently in use or allocated for employment use from alternative development where they make an important contribution to the supply of premises and jobs". Given the physical nature of the building and the constrained nature of the site under no circumstances can the appeal premises be described as making an "important contribution" to the supply of premises and jobs.

- 3.2 We note that, Policy NE5, Section 147 of the West Sussex Structure Plan also states that:

"District planning authorities should review existing allocations to assess the extent to which they meet the communities need for jobs and the needs of businesses. Where the allocations are poorly located or otherwise unsuitable for employment use, their use for another purpose should be considered and new provision may need to be made".

"There are industrial estates, most of them in the coastal area, which do not now provide accommodation of a sufficiently high standard to meet the needs of modern business."

- 3.3 In terms of the adopted Local Plan, none of the existing industrial estates are identified as being specifically safeguarded for long term employment uses, and the Local Plan contains no specific policies requiring existing employment uses to be maintained.

- 3.4 The main estates in the local authority area are the Shripney Road Estate which houses the Arun Business Park and Clock Park. Southern Cross Industrial Estate encompassing Bleeding Close, Oldlands Way, Steyning Way and Lineside at Littlehampton.

- 3.5 The Durban Road estate is poorly located by comparison with the above estates and the application property is of an outdated design which is not suited to the needs of modern industrial or warehouse occupiers and with the recent completion of the flats to the south of the site, residential occupiers are now to be located on two sides.

- 3.6 The proximity of residential occupiers is not compatible with the majority of B class occupiers. There are substantial industrial estates in the immediate vicinity, including the South Bersted and Southern Cross Estates, which are better located and more attractive to employers. In addition, the Council, has allocated new employment land in the area at "Site 5(iii)", land north of Oldlands Farm, North Bersted which comprises 11.2 ha.
- 3.7 Just outside the local authority area but within more established business locations to the west there are numerous further estates including Manor Road, St James Industrial estate and St James Works, Quarry Lane Industrial estate, Shopwhyke Industrial centre, Dukes Court and Donnington Park.
- 3.8 Havant and Portsmouth to the west provide the primary industrial areas in the region benefiting from the M27 and A3(M) motorways. Likewise Brighton to the east and Crawley to the north east provide primary business centres acting as a magnet for major occupiers.
- 3.9 In appeal Ref: APP/C3810/A/04/1160179 regarding Industrial unit O, Durban Road, Bognor Regis. The Inspector made the following comments which we regard as important concerning the location that Unit O occupied in the context of the appeal site. ***"Structure plan policy LOC1 seeks to direct new development to towns and villages particularly through the reuse of previously developed land. The loss of employment land is resisted by policy NE5 where that land is important in maintaining the supply of premises and jobs in an area and minimizing the development of Greenfield sites"***.
- 3.10 The Inspector commented ***"I was also provided with an agreed schedule of vacant premises on the South Bersted Industrial Estate, showing there is 4847 sq m of vacant floor space"***. The figures in Appendix 5 show that this has been exceeded since the appeal and over 6000 sq m is now available in the immediate area. The Inspector went on to say ***"I am not convinced that there is a shortage of factory type buildings in the District. Consequently I do not believe that this site is important in maintaining the supply of premises and jobs in the area". "Nor is there any cogent evidence***

that there are other similar cases (for which this case might set a precedent), bearing in mind that this site is on the edge of the industrial estate and backs onto houses".

- 3.11 Further comments made by the Inspector that we feel support our own opinions include:

"I consider that the proposal would not predudice the supply of adequate employment land and sites in the District and so not conflict with Structure Plan policy NE5".

"there were also suggestions that B2 uses generally are declining on estates such as South Bersted".

- 3.12 In our opinion the current planning context is supportive of the planned / controlled release of poor existing "B" class sites.

4.0 B Class Market Context In Terms of the Economy and Employment.

- 4.1 There is a long and well-established trend of decline in the demand for manufacturing accommodation throughout the South East. This has been caused by ongoing structural changes in the economy (causing many companies to cease trading) and the need for other businesses to locate in cheaper locations both throughout the world and in other parts of the UK. In part, this decline in demand has been off-set by increases in demand for warehousing accommodation (in the right locations) and in the service and office sectors. Discerning occupiers of industrial / warehouse units consider certain features essential including:

- Clear external areas.
- High internal eaves height.
- Brick, block and clad elevations under double skinned roofs.
- First floor offices or a mezzanine floor provided within the larger units.
- Excellent loading and car parking provisions.
- Ease of access for frequent lorry movements.

4.2 It is recognised that office supply in the South East has been massively over provided in recent years with the result that, even on the major business parks in the locality and in the preferred City/Town Centre locations, many office buildings have remained vacant despite offering a high quality specification. Consequently there is no latent demand/pressure from the office sector to bring forward new office development sites in the subject locality and particularly on the appeal site (which is poorly located for office purposes). This highlights and explains why there has been a lack of demand for the office accommodation within the appeal premises having regard to its size, location and configuration.

4.3 It should also be emphasised that the structural decline of manufacturing which has been evident throughout the UK has been occurring at a significantly faster rate in the south east. This is largely attributable to the economic drivers present in the area, e.g. the forms of new businesses present, and the growth of decentralised offices.

4.4 In view of the shift away from manufacturing employment to more employee-dense forms of activity, e.g. offices/IT/hi-tech etc., previously developed land can in fact be used more efficiently. The change in employment activities has also involved considerable redevelopment in town centre locations on land not previously in employment use.

4.5 As already highlighted above, office development can effectively be discounted bearing in mind the location of the appeal site with its poor local context and lack of other office developments. Consequently we are left with the potential from traditional industrial and warehousing users. The former, however, have reducing requirements (causing positive and plan led release of land in many traditional industrial locations) leaving B8 users as the only possible occupiers of the appeal site. However, as demonstrated in this report, when considering the particular context and constraints (both in market terms and in physical terms) of the appeal site it will simply not meet the modern day requirements of B8 occupiers. The primary disabilities are as follows:

- The property is poorly located and isolated. Ease of site access for frequent (24 hour/7day per week) lorry movements will be frustrated by the need for clear traffic sight lines at this road junction. The lack of a

sizeable yard, if an attempt were to be made to access the site by large vehicles the main junction will inevitably be obstructed.

- The realisation that the site access will become even more difficult as time passes in the context of increasing sizes of HGVs.
- The hours of use on the site are likely to be restricted as it borders residential property on two sides. If the property were to be redeveloped it is highly likely that the Council will impose restrictions on hours of use. This is not acceptable to the majority of users in today's market.
- Extensive lorry parking/standing areas caused by the implementation of the EU Working Time Directive which limits the amount of time lorry drivers can work. This has resulted in the need for drivers to have more breaks and has increased the need for more HGVs and rest areas and therefore more space for these HGVs to be parked.
- The building is dilapidated and generally inadequate due to the purpose built design of the premises.

4.6 We therefore conclude the building and the site is unsuitable for the needs of "B type" users.

5.0 History, Marketing and Suitability of the Premises for B Class Use.

5.1 From information we have received, we understand the appeal site was originally owned by the local Council. Permission was granted permitting a change of use to warehousing in November 1980. A subsequent detailed application for a light industrial/warehouse building was approved in November 1981, this facilitated the construction of the current building. It is apparent from the drawings that the building had to be designed and located on the site to allow for a substantial visibility splay which was

apparently 15ft x 300ft at the junction of Durban Road with Ash Grove. This, together with the need to provide access and parking on the other side of the site, accounts for the unconventional, triangular shape of the building.

5.2 We have no details as to the occupation of the premises prior to Westside Supplies Ltd, who purchased it in 1997. Westside Supplies Ltd are a family-run firm manufacturing small electronic components for other businesses. We are advised that they purchased the building from a similar firm. We believe that they were attracted to the site because it was available on a freehold basis and it was reasonably close to homes of the owners of the business. The business employed between 6 and 8 people and the building was used for small scale assembly, storage and office purposes. The owners chose to sell in 2007, primarily for personal rather than business reasons, in order to purchase a site immediately adjacent to their home. Mr Yates, the owner, advises me that although they regarded the building as adequate for their purposes, it had a number of disadvantages, especially the awkward shape and the need to transfer items between assembly areas on two floors. Their new building offers the advantage of a single level assembly area, which they now appreciate has many advantages.

5.3 The property has been marketed by Parsons Son and Basely for just under a year. We are informed by the agent that the property was marketed as "industrial / office premises". There has been limited interest in the site with no firm offers to date. The small interest that was generated was for storage based operations however interest quickly dissipated upon potential occupants viewing the site and realising its limitations for this use in comparison to the abundance of purpose built industrial property available elsewhere in the locality.

5.4 The site is clearly constrained for industrial / warehouse use, predominantly by its location and having regard to our assessment and redevelopment appraisal the site is genuinely redundant and does not have potential for industrial redevelopment. Consequently alternative uses should be considered given its position on the edge of the industrial area with residential development on 2 sides.

- 5.5 The requirements of occupiers as listed in Section 4 do not sit well with the residential development on the adjacent site given that the noise and traffic flows which will create amenity and safety issues for the occupants and inevitable congestion with lorry parking on the estate roads. Complaints and subsequent conflicts will then inevitably arise. From our inspections of this site and the B-class locations throughout the local area it is clear that the development of an industrial scheme on this site is not financially viable and this is demonstrated by our development appraisal. (see Appendix 4). Our view as to the lack of viability is also supported by a statement made within the Arun District Context Briefing Note, titled – Economy and Employment, which states:

“Three quarters of the potential floor space comprises Local Plan allocations at Oldlands Farm, Bognor Regis (88,000 sq.m) and Roundstone, Angmering (12,800 sq.m). It should be noted that Oldlands Farm is currently subject to an application by Asda which if successful, would substantially reduce the likely B1-B8 floor space, whilst the site at Angmering has not come forward for development. This situation reflects a general difficulty in bringing forward commercial development, within the District. Market indications are that speculative commercial development is not viable, so would need to be subsidised either by public funding or cross-subsidy with more profitable use (e.g. housing or retail). This is reflected by the lack of major speculative commercial development in recent years”.

This observation by the District Council as to a lack of commercial viability was made at a time of much greater economic certainty compared to the period we have now entered into.

6.0 Analysis of Atkins Report on Employment Needs and Land Use Requirements.

- 6.1 In January 2005, Arun and Chichester District Councils commissioned Atkins to undertake an assessment of employment needs and floor space requirements. The study has been analysed and key measures are highlighted below:

6.2 Arun and Chichester District Councils jointly instructed Atkins to undertake an assessment of Employment Need and Floor Space Requirements to 2017. The primary objectives of the study being to:-

- Assess the suitability of existing Employment Land (both quantitative and qualitative),
- Define need and any key gaps in provision,
- Assess the economic characteristics of the two Districts, including the identification of key constraints and opportunities,
- Identify inward investment opportunities,
- Develop suitable criteria to guide employment development activities in rural areas, and
- Review the appropriateness of existing employment allocations for development of alternative uses, including housing.

6.3 Based on the economic forecasts and results of the Atkins empirical business survey, they conclude that for Arun District, the gross structural land requirements identified in Policy NE1 are considered to provide a reasonable but conservative estimate of future B Use Class requirements. For the period 2001-2017 Atkins conclude that the LDF should include sufficient flexibility to provide for gross development needs of up to 335,000 sq m in Arun District, of which 20% approximately should be identified as long term reserve land for release towards the end of the Structure Plan period, subject to monitoring.

6.4 Whilst Atkins acknowledge the limitations of using a "quantitatively led policy approach" (which is the primary method used). They nevertheless conclude on this approach that a number of new sites need to be brought forward to make up a perceived short fall, which will arise if certain other sites (which are identified in the report) should not be identified as part of the portfolio to be included in the LDF.

6.5 At Paragraph 2.29 in the Atkins report, they conclude that taking on board completed developments and assumptions regarding existing commitments, that Arun District has a net future requirement of 53,770 sq m. That is to meet the Structure Plan requirement to 2017 there is a requirement of just under 54,000 sq m. We consider this to be unrealistically high based on real market conditions.

6.6 The Arun District Local Plan was adopted in June 2003. The major land allocations including significant employment components included the following:-

- Bognor Regis Town Centre. The developer, St Modwen has recently unveiled initial plans for a regeneration project comprising a mixed used scheme in Bognor Regis Town centre. This will include 18,500 sq meters of leisure and retail, 50,000 sq ft of community facilities and 2,787 sq meters of offices along with residential units.
- Site 5 consists of 3 employment sites identified on the Arun District Proposals Map.(i) Arunside Industrial Estate Littlehampton (2.3ha), (ii) Roundstone Area, Angmering (3.3 ha), (iii) Land North of Oldlands Farm, North Bersted (11.2 ha)
- Site 6 is made up of land to the north of Bersted, Bognor Regis and Felpham. Provision has been made for 11.25 ha of development for a business park accommodating uses falling into class B1, B2 and B8. there is a 11.8 ha reserve for an extension to the business park
- Site 8 is The Railway Wharf, Littlehampton. This is intended for development which consolidates, improves or extends the commercial port or related activities of the harbour.
- Site 9. West Bank, River Arun contains the Marina, permission will be granted for development that will maintain, improve and develop the existing marine related commercial uses.
- Site 10 is attached to Site 9 described above. This is set to facilitate appropriate marine related development and is allocated as an aggregate handling wharf.

6.7 The net provision of 53,770 sq m does include some sites which the authors of the report consider are constrained.

6.8 Atkins identify 17 clusters of Employment Land within Arun. These take the form of agglomerations of B Class Uses. Each site has been subject to site appraisal in the Atkins report

6.9 The report identifies 141 hectares of Employment Land within Arun, of which 7.88 hectares is said to be vacant. We take this as being undeveloped Employment Land. However, the report goes on to confirm (Paragraph 3.15) that there were 31 vacant buildings in the District totaling 8,188 sq m. At the time of undertaking our survey (see Schedules in Appendix 4 to this report), we have found that there are in fact 77 vacant properties within Arun, totaling approximately 35,959 sq m. This would either suggest that vacancy rates have gone up substantially since the Atkins survey, which was undertaken in 2005 (see Paragraph 3.8), or the original information was inaccurate. The Atkins survey also refers to a further 4.6 hectares being vacant within the coastal towns sub area, with a further 3.29 hectares in what is termed the ... "remainder of the district".

6.10 From the basic statistical information provided by Atkins in their report dated 2005, they proceed to try and estimate future business needs in Arun, in order to establish the quantity of land that might be required to be set aside for such uses. Such employment forecasts converted to quantitative estimates of floor space demand are known to be very unreliable, and in our experience invariably grossly overstate the need position.

6.11 Manufacturing is identified as an important sector in Arun since there is a relatively high proportion of B2 occupiers and B1(c) occupiers. It might be said that this is somewhat contrary to National trends in south east England, where manufacturing in particular has been declining rapidly. This has been caused by ongoing structural changes in the economy, causing many companies to cease trading, or causing them to relocate to cheaper locations, both throughout the world and other parts of the UK. Indeed, in Paragraph 4.6 of the Atkins report, it is acknowledged in the third bullet point that there is every possibility that the manufacturing sector will be downsizing, and this should be subject to proper planning.

6.12 Nationally the decline in manufacturing has in part been offset by increases in demand for warehousing and for office space to support the financial sectors. This is also acknowledged in Paragraph 4.8 of the Atkins report, which reflects business sentiments in 2005. Indeed they go on to state that this trend ... **"Is likely to continue"**. As of June 2008, this is clearly not the current position where all the recent evidence shows declining demand.

6.13 Given the over provision of manufacturing in the District (compared to most areas in the south east) it can be said that the District will be at risk in terms of future factory closures which (on the positive side) will in turn provide "recycled" sites for new development. Such a factor should restrict the need to over provide new allocations as they will simply not be needed.

6.14 Given the geographical location of Arun and the undoubted competition to the west (Havant and Portsmouth), to the east (Brighton and Worthing) and to the north east (Crawley) where business demand is likely to have a greater focus, it is not surprising that in Paragraph 4.21 in the Atkins report, that they acknowledge that Arun is **"not suitable to accommodate significant numbers of large inward investment projects"**. We agree with this observation.

6.15 In assessing future employment forecasts, Aktins proceed to use assessments for Arun projecting growth rates forward to 2017. Current prospects for economic growth are very different to 2005, and also the formulae used for converting jobs in to floor space is very unreliable, depending upon the assumptions made for the various types of businesses. Atkins also support the general conclusions reached (by assessing floor space requirements on this basis), with the survey undertaken of business occupiers in the area. In this respect occupiers were asked to comment on the prospects for expansion in the future. Again, we would suggest that extreme caution should now be applied to such forecasts given the change in economic circumstances which are now evident in 2008. Indeed, some 33% of businesses in Arun (in 2005) indicated that they were planning to expand. We would suggest that given the reliance upon manufacturing industry within Arun, which is subject to particular pressures applicable to such business and given the current economic outlook that the same survey today would probably show companies are expecting to downsize in the short to

medium term. Any projection of need on this basis would therefore slow a declining land requirement.

6.16 With our comments above, it will be appreciated that we do not consider that the projected floor space requirements recorded by Atkins are now appropriate, and should not be used for guiding policy for the District. The change in circumstances is most adequately illustrated by the simple comparison of the availability of 35,959 sq m of buildings at the time of our current survey (June 2008) compared to the Atkins survey in 2005, showing only 8,188 sq m of availability.

6.17 Indeed, at Paragraph 4.35 Atkins suggest that up to 200,000 sq m of additional B Use floor space will be required over the next 10 years. This is simply an unrealistic figure for a small District, such as Arun, which is competing with other more significant businesses in the region, which will also have extensive opportunities for the business community. Indeed, the consultants go on to state that they consider that the estimates should be treated as providing a minimum empirical estimate of business requirements. In our view, this is very misleading in the context of the circumstances which will be facing the economy over the next 10 years. In our view, there is no shortage of supply of either buildings or land within Arun and in addition "recycling" opportunities will arise for example the site to the east of the Shripney Road.

6.18 Atkins have produced a schedule of a new portfolio of sites, which in any event will provide future land for development if the consultant's views materialise as to future requirements (which we dispute). Indeed, the potential sites identified to accommodate employment development/intensification equates to a capacity of 1,188,8454 sq m of floor space in Arun. With due respect to Atkins, this is a ridiculously high figure for a small district such as Arun in the context of the wider market area.

6.19 Clearly the Atkins report will be used to guide policy in the future in relation to industrial land supply. We have therefore felt it appropriate to consider the content and conclusion of the Atkins report in general terms. Firstly, when this is considered in the context of the appeal site, which is firstly of a relatively small size (0.11 hectares) and is situated within an estate which

has already been found to be poorly located for industrial uses, and secondly when account is taken of the fact that a scheme is under discussion for a major mixed use housing development to replace much of the estate. In site specific terms, we do not believe that the Atkins report can be relied upon or used to justify the retention of the appeal site which is in effect, a poor example of an existing employment provision.

7.0 Supply of Employment Land and Buildings in the Arun District

7.1 We have considered a market search area to establish the level of overall supply of employment land and floor space within the market area. This comprises supply within the Arun District. We have concentrated on industrial and warehousing property.

7.2 We have included as **Appendix 5** a schedule detailing the individual vacant buildings. The gross figure is 35959 sq m.

Survey Date	May-08	
	ADC	Total
Vacant buildings and under construction	35959	35959
Unimplemented Planning Permissions	TBC**	TBC**
Development Sites	20,000 **	20,000**
	38959	38959

** Estimated (Still to be agreed with ADC)

7.3 In summary our research shows (at May 2008): -

- In Arun District there is a total vacant stock of sq metres, sq metres of sites with planning permission for employment uses and approximately m2 (assuming 40% plot ratio) of vacant sites identified for future development.

7.4 Consequently, throughout the Arun District and the wider market area there is a total supply pipeline of about sq metres (nearly million sq ft). If

this is translated into an equivalent land area by assuming a typical 40% site density this floor area is the equivalent of over hectares. This is a substantial level of supply, which can easily meet the needs of the market place, both currently and in the future.

- 7.5 The source of information is the Focus property website, which we have cross-referenced with those properties currently being marketed on the Estates Gazette website, the web sites of the most active agents together with letting boards on properties within the search area as identified by site inspections carried out by us. We have made every effort to ensure there is no double counting.
- 7.6 It is important to remember that the supply statistics are not static in that properties maybe unoccupied and others are sometimes left vacant on a continuing basis. Additionally, some vacant properties may not be subject to active marketing at the present time and inevitably they have been left off the schedule. Also, some buildings are under occupied as companies downsize or others acquire properties for future expansion and in these two examples surplus space often exists within existing premises which again will not be referred to in the schedules. The overall totals of existing and potential new space must therefore be taken as broad indicators of supply. However, in reality the statistics are far more likely to be an understatement of the true position as to vacant property rather than an overstatement for the reasons summarised in this paragraph.
- 7.7 The subject site extends to 0.11 hectares and the total land stock in the Borough is recorded as 141 hectares. Consequently, the potential loss in stock is limited and is offset by the extensive pipeline in the search area..
- 7.8 The assessment of current supply, on any test, therefore demonstrates a more than adequate sufficiency going forward to meet the needs of the market. Furthermore all the evidence points to a progressively increasing supply in the short to medium term

8.0 Qualitative Assessment

- 8.1 We have undertaken a Qualitative Analysis of the available buildings by reference to the range of sizes currently available and in terms of the quality of buildings. Quality should not only be determined by the age of the properties but also by reference to such factors as location, access and

suitability for occupation (i.e. no restrictions on hours of use). Companies involved in distribution find such restrictions to be virtually unacceptable in today's fast moving customer led marketplace. Distribution companies operating in these markets must have access to their buildings which they can operate 24-hours a day on a 7-day per week basis. This requirement will be even more crucial in the future and is now demanded by virtually every prospective occupier.

8.2 The schedule in Appendix 5 also provides the detailed qualitative analysis from which we have established the following:

- There are at least 77 individual buildings on the market in Arun District of which 74 units (96%) fall into the category of small units (i.e. up to 1,000 sq m).
- In terms of quantity of space, some 2.5% of the accommodation available falls within the medium to large size range of 2,500 sq m to +5,000 sq m and this is contained in 2 units.
- In the larger category of buildings (exceeding 5,000 sq m) this comprises 1 individual unit. (1.5%)

8.3 Our analysis of the quality of the buildings available can be summarised as follows:-

- 24 units fall within the new or refurbished category of buildings and these comprise 31% of the total stock. This clearly demonstrates the large supply of modern and new buildings in the borough.

In terms of size the units can be categorised as follows:-

Size	Number	% Age
Under 1000 m ²	74	96%
1000 m ² to 5000 m ²	2	2.5%
Over 5000 m ²	1	1.5%
	77	100%

We have not provided a qualitative analysis in terms of office availability as it is inconceivable that an office scheme would come forward on this site.

- 8.4 Based on our analysis we confirm that there is a sufficient number of existing properties available to potential occupiers in the market in terms of size and quality similar to the property in question on Durban Road. The majority of which fall into the smaller size category where there is most demand.

9.0 Summary and Conclusions

- 9.1 Taking into account the nature and style of the existing building, the number of available units in the Durban Road area, and the conclusions of the Inspector on this matter in the appeal decision relating to Unit O.
- 9.2 We conclude that the appeal site is not one which makes an important contribution to the supply of premises and jobs in the area, and that there is therefore no requirement to safeguard it for employment uses.
- 9.3 Overall, the current and planned provision of employment premises and land in this part of Bognor Regis is very generous and there is no reason to suppose that the loss of the site to residential purposes will cause any adverse effects

In our opinion:

- The appeal property is physically and economically obsolete in terms of B-class uses.
- The property is not capable of refurbishment or redevelopment for industrial use in terms of viability.
- Access is simply inappropriate and too difficult for commercial vehicles.

- The marketing of the property has clearly demonstrated a total lack of interest for B-class uses. This is also reinforced by the Focus data on available units where the average marketing period for such B class properties is 329 days. (see Appendix 5)
- The property does not make an important contribution to the local supply of premises and jobs. The accommodation is not of a sufficient standard to meet the needs of modern business.
- Our survey of existing supply within the general area concludes that there is a more than adequate choice available for occupiers seeking properties of this size. The majority in superior locations. (Detailed statistics to follow).

9.3 Having regard to the above and the particular considerations, which are relevant to any future decision. We are of the opinion that the application proposal is not contrary to policy NE5 of the West Sussex Structure Plan and the application proposal should not be refused on employment land grounds.

9.4 We confirm that this Report has been prepared in accordance with the RICS Practice Statement and Guidance Notes for Surveyors acting as Expert Witnesses. In particular, we declare our belief in the accuracy and truth of the matters put forward to the best of our knowledge at the time of preparing this Proof. The document includes all those factors, which we believe to be relevant to the formation of the opinions we have expressed.

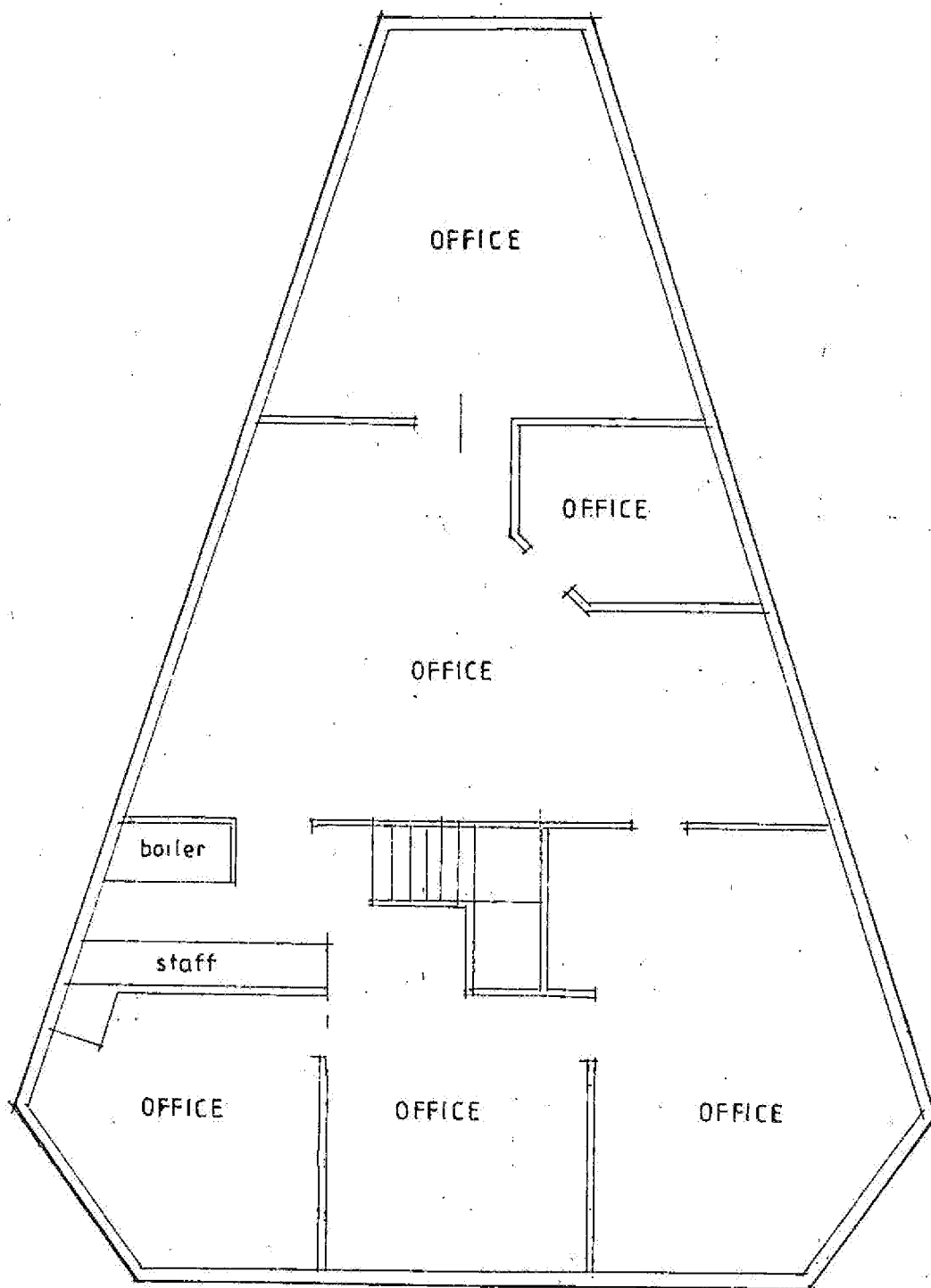
John Stephenson FRICS MCI Arb

Grant Mills Wood

Chartered Surveyors & Industrial Development Consultants

June 2008

Prepared by: Grant & Partners
Chartered Surveyors and Industrial Development Consultants.

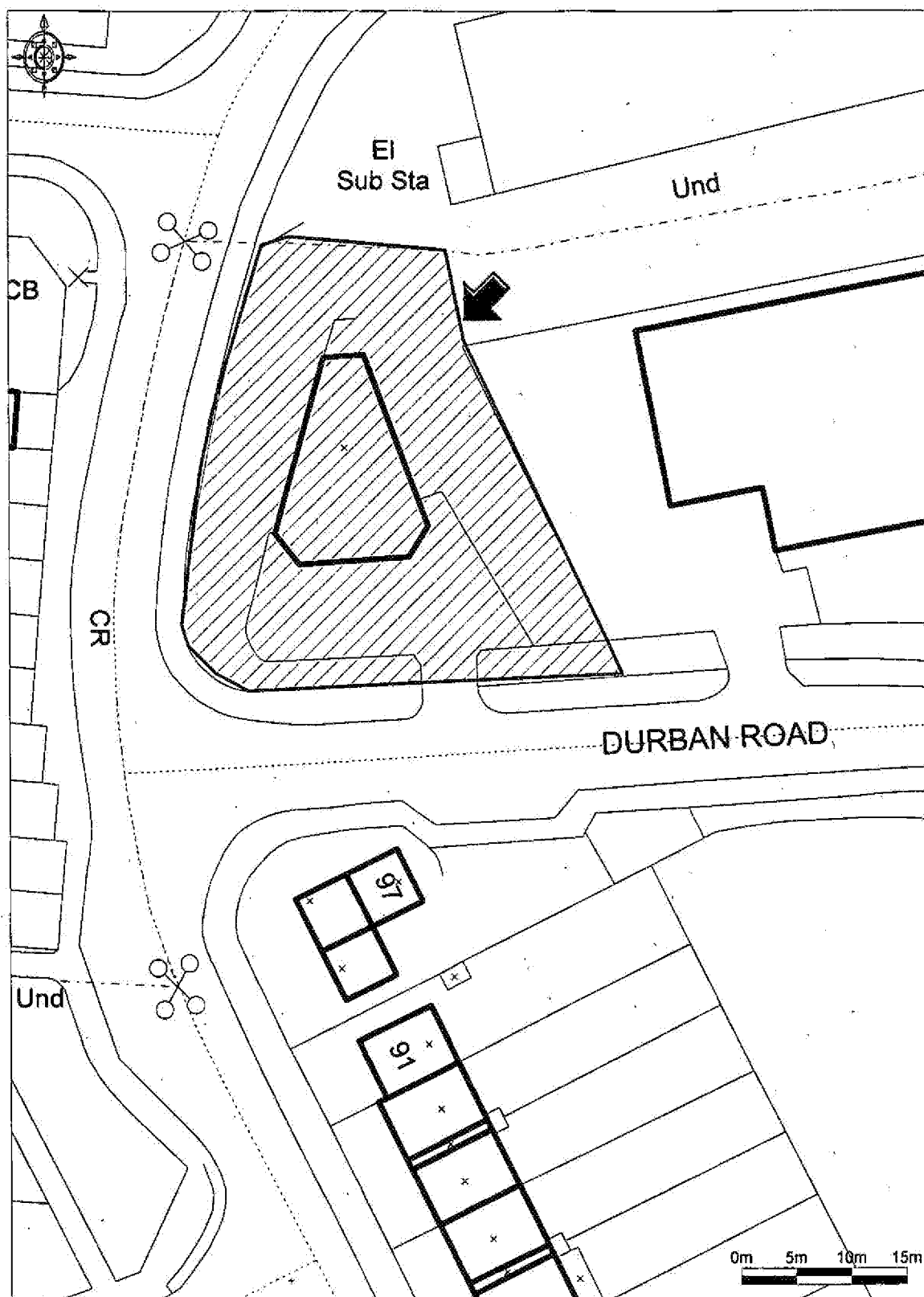


FIRST FLOOR

former West Side Supplies building
Durban Road Bognor Regis

scale 1:100

plan 2 - Site Plan



OS Ordnance Survey

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Durban Road, Bognor, Residual Calculation

1. Gross Development Value

GIA		455 sq m
ERV	£	68.12
	£	30,994.60
YP	7.25	13.79310345
	£	427,511.72
	£	404,266.41

say £ 400,000

2. Deductions from Gross Development Value

Construction cost	455	765	£348,075	
Miscellaneous cost/contingency		5%	£17,404	
Demolition			£30,000	
Professional fees at		12.00%	£47,457	£442,936
Prebuild		1		
Building Cost finance for		1 yr	7.50%	£16,610
Letting void finance at		1 yr	7.50%	£33,220
				£49,830
Letting fees		10.00%	£3,099	
Sale Fees at		1.00%	£4,000	
Promotion at			£20,000	£27,099
Developers profit at		25.00%		£129,966
				£649,832
Deduct:				-£ 249,832
- Land Purchaser costs at		5.75%	-£10,272	
- Interest on site cost for		2 yrs	7.50%	-£28,336
- Profit on site cost at		15.00%	-£32,587	-£71,195
				-£178,638

3. Residual Value

-£ 180,000

Site area 0.281 acres -£ 640,569.40 p.acre

Appendix 5 Schedule of Vacant Buildings

Building Name	Building Park	Street Name	Town	Postcode	Use	Total Sq M	Rent Sq M	Days on Market
Ford Lane Business Park		Ford Lane	Arundel	BN18 0UZ	Light Industrial	221	n/a	101
Vinery		Arundel Road	Arundel	BN18 9PY	Workshop	373	£44.29	28
		Arundel Street	Arundel	BN18 9PY	Self-Storage	516	NQ	28
Durban Centre		Durban Road	Bognor Regis	PO22 9BJ	Industrial/Warehouse	185	£75.41	312
Durban Centre		Durban Road	Bognor Regis	PO22 9BJ	Industrial/Warehouse	190	£75.26	312
Durban Centre		Durban Road	Bognor Regis	PO22 9BJ	Industrial/Warehouse	203	£75.35	312
Castlegrove Business Park		Durban Road	Bognor Regis	PO22 9QT	Light Industrial	204	NQ	93
Durban Centre		Durban Road	Bognor Regis	PO22 9BJ	Industrial/Warehouse	208	£75.34	312
Durban Centre		Durban Road	Bognor Regis	PO22 9BJ	Industrial/Warehouse	242	£86.15	312
Durban Centre		Durban Road	Bognor Regis	PO22 9BJ	Industrial/Warehouse	246	£86.11	312
	6 Durban Road Industrial Estate	Durban Road	Bognor Regis	PO22 9RX	Industrial/Warehouse	249	£86.11	331
	7 Regis Business Centre	Durban Road	Bognor Regis	PO22 9QT	Light Industrial	334	£69.96	330
	Unit 6	Durban Road	Bognor Regis	PO22 9RU	Industrial/Warehouse	426	£52.51	372
Easton House	6-7 Clock Park	Shripney Road	Bognor Regis	PO22 9NH	Light Industrial	514	n/a	93
Castle Grove Business Park		Durban Road	Bognor Regis	PO22 9QT	Industrial/Warehouse	579	£87.28	868
Castle Grove Business Park		Durban Road	Bognor Regis	PO22 9QT	Industrial/Warehouse	740	£87.26	868
Castlegrove Business Park		Durban Road	Bognor Regis	PO22 9QT	Light Industrial	768	NQ	93
Castlegrove Business Park		Durban Road	Bognor Regis	PO22 9QT	Light Industrial	993	NQ	93
	Unit G13 Rudford Industrial Estate	Ford Road	Ford	BN18 0BD	Light Industrial	86	n/a	408
Business Park		Ford Lane	Ford	BN18 0UZ	Light Industrial	151	£79.48	259
	Unit U8 Rudford Industrial Estate	Ford Road	Ford	BN18 0BF	Industrial/Warehouse	205	£70.59	17
Rudford Industrial Estate		Ford Road	Ford	BN18 0BD	Workshop	217	£62.10	231
Ford Lane Business Park		Ford Lane	Ford	BN18 0UZ	Industrial/Warehouse	221	n/a	231
	A3 Ford Airfield Industrial Estate		Ford	BN18 0HY	Industrial/Warehouse	299	£42.98	532
Ford Airfield Industrial Estate			Ford	BN18 0HY	Industrial/Warehouse	415	£56.57	373
	G Ford Airfield Industrial Estate		Ford	BN18 0HY	Industrial/Warehouse	2,332	£55.10	464
	Unit 6 Martello Enterprise Centre	Courtwick Lane	Littlehampton	BN17 7LD	Light Industrial	69	£109.38	29
Wickham Business Centre		Harwood Road	Littlehampton	BN17 7AU	Industrial/Warehouse	82	£75.36	231
Arundside Business Park		Fort Road	Littlehampton	BN17 7QU	Light Industrial	88	£59.20	203
Arundside Business Park		Fort Road	Littlehampton	BN17 7QU	Light Industrial	94	£59.20	203
	1a Arundside Business Park	Fort Road	Littlehampton	BN17 7QU	Industrial/Warehouse	94	£59.20	400
	14 Arundside Business Park		Littlehampton	BN17 7QU	Industrial/Warehouse	94	£59.20	400
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	118	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	116	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	116	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	116	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	116	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	116	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	116	NQ	470
	8-10 Wickham Business Centre	Harwood Road	Littlehampton	BN17 7AU	Industrial/Warehouse	127	£69.96	21
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	161	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	161	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	161	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	161	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	161	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	161	NQ	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	161	NQ	470
	1-2 Wickham Business Centre	Harwood Road	Littlehampton	BN17 7AU	Industrial/Warehouse	170	£75.34	345
	2 Harwood Centre	Harwood Road	Littlehampton	BN17 7AT	Light Industrial	191	£75.34	322
	1 Harwood Centre	Harwood Road	Littlehampton	BN17 7AT	Light Industrial	191	£75.34	322
Wickham Business Centre		Harwood Road	Littlehampton	BN17 7AU	Industrial/Warehouse	194	£69.76	231
Wickham Business Centre		Harwood Road	Littlehampton	BN17 7AU	Industrial/Warehouse	194	£31.52	372
		Harwood Road	Littlehampton	BN17 7AU	Light Industrial	223	n/a	112
Harwood Road Industrial Estate		Harwood Road	Littlehampton	BN17 7AT	Industrial/Warehouse	561		330
	Unit N2 Riverside Industrial Estate	Bridge Road	Littlehampton	BN17 5DF	Light Industrial	245	£68.97	179
Harwood Business Centre		Harwood Road	Littlehampton	BN17 7AT	Light Industrial	252	£75.34	219
	Unit 9 Minster Court	Courtwick Lane	Littlehampton	BN17 7PA	Light Industrial	283	£77.84	16
	Unit 4 Minster Court	Courtwick Lane	Littlehampton	BN17 7PA	Industrial/Warehouse	283	£77.84	16
	Unit 6 Minster Court	Courtwick Lane	Littlehampton	BN17 7PA	Light Industrial	283	£77.84	16
	5 Harwood Centre	Harwood Road	Littlehampton	BN17 7AT	Light Industrial	285	£75.34	322
	2a Littlehampton Marina	Ferry Road	Littlehampton	BN17 5DS	Industrial/Warehouse	307	£64.58	274
Harwood Centre		Harwood Road	Littlehampton	BN17 7AU	Industrial/Warehouse	307	£34.25	372
	Unit N5 Riverside Industrial Estate	Bridge Road	Littlehampton	BN17 5DF	Industrial/Warehouse	327	NQ	528
		Arndale Road	Littlehampton	BN17 7HD	Industrial/Warehouse	369	£61.29	947
		Eldon Way	Littlehampton	BN17 7HE	Light Industrial	495	£57.63	71
		Arndale Road	Littlehampton	BN17 7HD	Light Industrial	504	£46.57	282
		Arndale Road	Littlehampton	BN17 7HD	Industrial/Warehouse	534	£48.71	17
Unit 3	Lineside Industrial Estate	Littlehampton	Littlehampton	BN17 7HD	Industrial/Warehouse	601	£64.90	470
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	700	NQ	470
Lineside Industrial Estate		Eldon Way	Littlehampton	BN17 7HD	Industrial/Warehouse	734	£49.70	270
Own Your Own		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	800	NQ	470
	Lineside Industrial Estate	Arndale Road	Littlehampton	BN17 7HD	Light Industrial	836	£53.84	93
		Arndale Road	Littlehampton	BN17 7HD	Industrial/Warehouse	836	£53.84	1207
		Lineside Way	Littlehampton	BN17 7EH	Industrial/Warehouse	1,267	£18.55	624
Body Shop International		Hawthorn Road	Littlehampton	BN17 7LT	Industrial/Warehouse	10,074	NQ	15
Unit J3		Dominion Way	Rustington	BN16 3HQ	Light Industrial	177	£79.03	533
Unit K9		Artes Avenue	Rustington	BN16 3LN	Industrial/Warehouse	370	£66.83	532

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

Tel: 01903 737500 ext 37314
Fax: 01903 716019
DX: 57406 Littlehampton
Minicom: 01903 732765
e-mail: juan.baeza@arun.gov.uk



Mr A Greenwood
Henry Adams Planning Ltd
Rowan House
Baffins Lane
Chichester
PO19 1UA

Our ref: BR/341/10

Please ask for:
Juan Baeza
Planning Appeals
Direct Dial: 01903 737765

21 December 2010

Dear Mr Greenwood

Erection of building to comprise 8 no. 2 bed flats & 6 no. 1 bed flats.
Westside Supplies 17/18 Durban Road, Bognor Regis

I refer to the above development for which planning permission is currently being considered by the Local Authority. This letter is to advise you further of the Council's affordable housing policy which was approved on the 18th August 2010 and officially came into force on that date. Details of the policy can be found on the Council's website: www.arun.gov.uk/cgi-bin/buildpage.pl?mysql=3694

This policy relates to applications for one or more new dwellings and has a requirement for an affordable housing provision. The advice is that you contact the Housing Strategy and Enabling Manager Andy Elder (01903-737714 andy.elder@arun.gov.uk) to discuss the various options open to you to meet this obligation.

I would also kindly advise you to contact the Council's planning solicitor to instruct the Council's Planning Solicitor Delwyn Jones (01903 737737) to draw up the legal agreement. This will require a standard administrative fee of £450.00, and an additional monitoring fee. Mr Jones will then draft the agreement which you as the applicant will receive, to be signed and returned to the Council.

We seek an agreement to this policy and the associated contribution prior to any decision being made on the planning application.

I trust this information is of assistance to you and should you wish to discuss this matter further please contact me on the above number.

Yours



Juan Baeza – Planning Appeals



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
Tel: (01903) 737756 Fax: (01903) 716019
Dx: 57406 Littlehampton
Minicom: 01903 732765
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

Mr A Greenwood
Henry Adams Planning Ltd
Rowan House
Baffins Lane
Chichester
PO19 1WA

Your Ref:

Our Ref: BR/341/10/

Please ask for: Mr J Baeza

Direct Dial: 01903 737765

24th November 2010

Dear Mr Greenwood

The Town and Country Planning Act 1990 (as amended)

Outline application with some matters reserved for the demolition of derelict 2 storey office building & erection of 8 no. 2 bed flats & 6 no. 1 bed flats with ground floor parking, bin & cycle storage & childrens play area

Formerly Westside Supplies 17/18 Durban Road Bognor Regis PO22 9RY

Thank you for your recent application, which was accepted as valid on 18th November 2010. It is being dealt with by Mr J Baeza who will be able to help you by telephone should you have any questions. However, I would point out that it will not be possible for you to meet with the case officer unless a prior appointment has been arranged.

This Council is now legally obliged to publicise all planning applications received. I would be grateful if you would display the enclosed notice on or near the site for 21 days from the date you receive this letter in a position where it can easily be seen by the general public. A decision cannot be made until 23rd December 2010 which is the end of the advertising period.

If you have not received a decision by 13th January 2011 and have not agreed in writing to extend this time limit, or been advised that your application is invalid, you are entitled to appeal to the Secretary of State in accordance with the Town and Country Planning Act within 6 months from the date by which the decision should have been made (unless the application has been referred to the Secretary of State by this Council for decision). Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

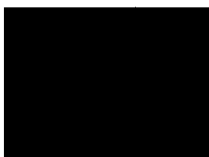
Please be aware that some of our correspondence including the Decision Notification will be sent by email if you have provided an email address on your forms. It is therefore important to inform us if your email address changes throughout the course of the application.

Please complete the attached validation checklist and return accordingly.

This acknowledgement only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations. You will need to carry out your own checks to determine whether any other consents or permissions are required. For advice on whether Building Regulations are required please visit the government's website www.planningportal.gov.uk. If you are in any doubt you will need to submit a formal Building Regulations submission.

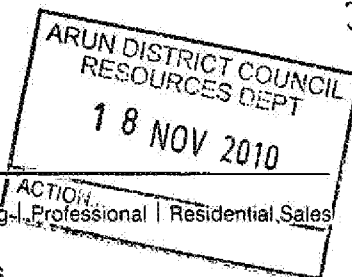
I trust this of assistance to you.

Yours sincerely



Karl Roberts
Assistant Director Planning Services &
Housing Strategy

HENRY ADAMS



Agricultural | Commercial | Country Houses | Fine Art | Land | Lettings | New Homes | Planning | Professional | Residential Sales

Town Planning and Development Consultants

Mr J Parsons
Principal Planning Officer
Planning Services
Arun District Council
Maltravers Road
Littlehampton
BN17 5LF

Our ref: AR25/AG/lb

4 November 2010

Dear Mr Parsons

**Demolition of derelict 2 storey office building and erection of 8 no. 2 bed flats & 6 no. 1 bed flats
with ground floor parking, bin and cycle storage and childrens' play area
Units 17-18 Durban Road, Bognor Regis**

Following withdrawal of Planning Application BR/231/09, we herewith attach a revised planning application for the above development.

In support of the planning application we attach a Flood Risk Assessment which confirms that the property is situated within flood zone 3a as set out in Planning Policy Statement 25: Development and Flood Risk.

As residential development is classified within Table D.2 of PPS 25 as a 'more vulnerable' type of development, there is a requirement to apply a sequential test to demonstrate that there are no available and deliverable sites in flood zones 1 or 2 which could accommodate the development. Should it be demonstrated by the sequential test that there are no such deliverable sites then there is a requirement to apply the exception test, which the flood risk assessment deals with.

The proposal was subject of a planning appeal, refs: BR/381/07 and APP/C3810/A/08/2079561, whereby the inspector accepted that the exceptional test had been passed by the development, taking into account the mitigating measures introduced into the design of the building, in particular to the absence of any habitable accommodation on the ground floor.

The inspector also accepted that due to the brown field nature of the site and the absence of commercial demand for the premises and/or the viability of redevelopment for commercial purposes, that residential development as proposed was acceptable.

The only outstanding issue therefore raised by the Inspector was the sequential testing of the site which seeks to be addressed by this application.

We therefore consider the proposal to be compliant with the requirements of PPS25, other relevant National Guidance and Local Development Plan Policy considerations.

Henry Adams Planning Ltd Rowan House Baffins Lane Chichester West Sussex PO19 1UA
T: 01243 521832 F: 01243 531850 E: planning@henryadams.co.uk W: henryadams.co.uk

Should however you require any further information or wish to discuss the proposal in more detail, then please do not hesitate to contact us.

Yours sincerely



Anthony Greenwood MRTPI

Encs

Juan Baeza

From: Anthony Greenwood [REDACTED]
Sent: 01 February 2011 13:47
To: Juan Baeza
Subject: RE: The Old Barn AL/124/10 & Westside Supplies BR/341/10

[REDACTED]
BR/341/10

As agreed we wish to receive the Environment Agencies response to consultation prior to addressing the affordable housing element of the planning application as this may have ramifications on the outcome.

Regards
Anthony

From: Juan Baeza [mailto:Juan.Baeza@arun.gov.uk]
Sent: 28 January 2011 10:55
To: Anthony Greenwood
Subject: The Old Barn AL/124/10 & Westside Supplies BR/341/10

Tony
[REDACTED]

BR/341/10

Have you received any instructions on affordable housing contribution?

Regards

Juan

<http://www.arun.gov.uk>
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DX 57406 Littlehampton

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