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Bourne House, Cores End Road
Bourne End, Bucks, SL8 5AR

Our ref. B0223/17

21 December 2017

Simon Davis
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF

Planning Portal ref. PP-06589656

Dear Simon,

St Josephs, Essex House, and Blackbird Cottage, Bognor Regis PO21 1NJ

S.73 Application for variation of a condition following grant of planning permission

Original planning application ref. BR/348/16/PL

I write on behalf of the applicant to submit a planning application at St Joseph's & Essex House which seeks to vary condition 2 of planning permission BR/348/16/PL dated 2 March 2017. The description of development on the original decision notice is as follows:

"Change of use of St Joseph's, Essex House (1 & 2 Walton Road) & Blackbird Cottage including on-site stand alone conservatory building, from a care home (Class C2 use) to a House in Multiple Occupation (HMO) to provide team member accommodation for up to 90 team members on behalf of Butlin's Bognor Regis, together with an on-site manager accommodation, two car parking spaces (one disabled space), a minibus parking space, a designated cycle store for 20 spaces, a designated bin store, smoking shelter & associated landscaping."

The following 'minor material amendment' to this consent is proposed:

"Internal reconfiguration of approved layouts to increase the number of bedspaces from 91 to 102".

This application is being submitted in accordance with the National Planning Practice Guidance and is in line with current government initiatives to encourage development.

The Guidance advises that an application for minor material amendments can be made through a S.73 application to change a condition listing approved plans. A S.73 application also provides the mechanism for alterations to the wording of conditions.



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Whilst there is no statutory definition of a 'minor material amendment' it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved (Paragraph: 017 Reference ID: 17a-017-20140306).

This requires a local authority to consider whether the resulting development approved as part of the MMA application process is not substantially different from that which has previously been approved.

In the case of the proposed alterations to the internal layouts, the changes are minor. The end result is a development which is not substantially different to that which was approved in March 2017, therefore the changes can be considered under the 'minor material amendment' mechanism.

Condition 2 of the planning permission states:

"The development hereby approved shall be carried out in accordance with the following approved plans..."

This application proposes to supersede the **approved drawings** with the following **proposed drawings**:

- 129 / 2.000 Rev 06 location plan
- 129 / 2.010 Rev 04 block plan
- 129 / 2.030 Rev 12 proposed ground floor
- 129 / 2.031 Rev 12 proposed first floor
- 129 / 2.032 Rev 11 proposed second floor
- 129 / 2.033 Rev 11 proposed third floor
- 129 / 2.015 Rev 02 landscape plan
- 129 / 2.202 Rev 03 Essex South Elevation
- 129 / 2.203 Rev 03 Essex East and West Elevations
- 129 / 2.204 Rev 03 Essex North Elevations
- 129 / 2.205 Rev 03 St Josephs Proposed North Elevation
- 129 / 2.206 Rev 03 St Josephs Proposed South Elevation
- 129 / 2.207 Rev 03 St Josephs Proposed East Elevation
- 129 / 2.208 Rev 05 St Josephs Proposed West Elevation
- 129 / 2.209 Rev 03 Blackbird West and South Elevations
- 129 / 2.210 Rev 03 Blackbird East and North Elevations

As a result of the increase in the number of bedspaces from 91 to 102 it is necessary to update a number of consultant reports which assessed or referenced occupancy levels. The following documents are submitted as part of this application:

- Updated Design & Access statement
- Set of marked up 'proposed' drawings, annotated to show the changes
- Addendum to Transport Statement
- Addendum to Travel Plan
- Updated Acoustic Report
- Addendum to Environmental Health HMO report
- Updated Management Plan



You have confirmed that you wish to see the suite of documents submitted with the previous application submitted as part of this application for completeness. The following documents are re-submitted as part of this application, but have not been updated or altered:

- CIL Questions Form
- Local Validation Checklist;
- Biodiversity Checklist;
- External Lighting Statement
- Statement of Community Involvement;
- Ashley House Management Plan
- Statement of Intent

Context

Planning permission was approved In March 2017 for the conversion of St Josephs, Essex House, and Blackbird Cottage to a House in Multiple Occupation for use by Butlins staff, providing 91 bedspaces.

As the scheme has been developed further and works continue at the site, it has become apparent that it is possible to create a more efficient scheme which increases the number of bedspaces within the buildings, in addition to providing a layout which is better suited to the needs of the Butlins staff it will soon be accommodating. 102 bedspaces can be provided within the same buildings.

Reasoned Justification

The new layout is more efficient and more logical, and is not constrained by older partitioning and subdivision within the building which served a different purpose.

As well as a modest increase in the number of bedspaces – making the most efficient and best use of the site – the shared spaces within the HMO accommodation have been significantly upgraded. Two new common rooms are now provided, creating a far higher standard of accommodation for Butlins staff.

The previous scheme allowed for a single 24-hour caretaker, and now two 24-hour caretakers/night managers are provided. This accounts for 2 of the 102 bedspaces, the remaining 100 being Butlins staff.

Whilst the changes are for the most part confined to internal reconfiguration of the buildings, it is necessary to create a new window opening on the inward-facing elevation of St Joseph's to ensure all rooms have access to natural daylight.

The changes can be achieved without any material adverse impact on surrounding residential amenity or the local highway network. A number of consultants have provided addendum reports to their original statements - assessing the impact of 102 bedspaces instead of 91 - which are summarised as follows

Transport

The modest increase in bedspaces does not materially affect any of the conclusions from the original approved Transport Assessment. There will be no new vehicle movements and shuttle bus trips will remain as approved; there is no need to prepare a new Travel Plan.



The Transport Addendum concludes:

“The development proposals have been amended to include an additional 11 bedspaces, increasing the total number on site to 102. Owing to the travel patterns of the staff and the modal splits generated from the original TS and TP, this is expected to have a negligible impact on the public transport and the local highway network.”

Noise Impact

The two new communal areas have been assessed and the addendum report confirms that the revised layouts will not result in any material impact on nearby residential amenity from noise egress. Furthermore, there will be no need for additional shuttle bus trips and therefore no change in vehicle noise and movements from the approved scheme.

The updated Noise Impact Assessment concludes:

“Considering the introduction of the 11 additional bedspaces, as well as the slight reconfiguration of the room layouts in some areas, we can confirm that these proposals will result in negligible noise impact. Following the noise breakout assessment of the two new communal areas, we can confirm that the introduction of these will result in negligible noise impact, providing they are well managed and have a noise management plan in place. Furthermore, as there is no requirement for additional shuttle bus trips there will be no adverse noise impact to the original proposals, with regards to vehicular movements.”

Standard of HMO accommodation

All HMO rooms continue to adhere to standards and provide a good standard of accommodation within each room. Indeed, the standard of accommodation is improved and upgraded by providing better communal areas, something which the approved scheme lacks. The living accommodation for Butlins staff will be enhanced.

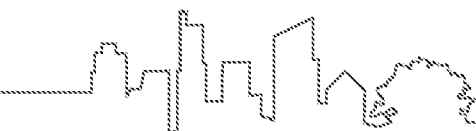
The addendum environmental health report concludes:

“I am satisfied that, after the research, comments on the initial proposals, amendments and investigations and particularly the reference to Arun DCs HMO standards, that the completed properties are fully compliant with the requirements of the Housing Act 2004 and, where necessary, will obtain a licence under the Mandatory HMO licensing scheme which is in the process of being applied for currently”.

Response to comments received on previous application

A number of objections were received from local residents when the original application was submitted, which raised concerns relating to the number of occupiers, potential noise impact, the potential for increased pressure on car parking, and construction works.

The accommodation will continue to be controlled and licensed. The application continues to propose many measures to ensure that the use will be neighbourly, and like before a series of conditions will be attached to any planning consent to secure them. The use will be appropriately managed with additional surveillance overseen by the Butlin's campus. Noise levels will be carefully monitored and kept to a minimum outside of sociable hours. Two caretakers / night managers will be present residing at the site.



The proposed changes are not materially different, and therefore they do not represent a worsening of the approved scheme. Consultant reports have been provided which demonstrate there will be no adverse material impact in relation to noise or transport as a result of the small increase in the number of Butlins staff.

Conclusion

It has been possible to create a more efficient arrangement within the buildings which provide a better standard of HMO accommodation for Butlins staff. The changes are for the most part internal, and 11 additional bedspaces can be provided without any material impact in terms of noise, amenity, or transport. It can be achieved without adverse impact on nearby residential amenity, including noise egress, trip generation, and parking.

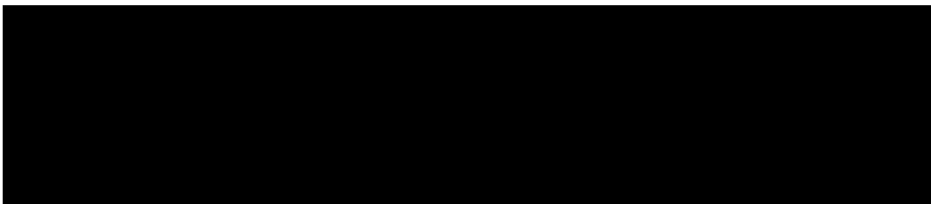
In summary:

- The nature of the approved development remains the same, the properties provide house in multiple occupation accommodation to Butlins staff;
- The increase in bedspaces is modest, approximately 10%;
- The external appearance of the buildings for the most part remains as approved, the changes are focused on internal alterations;
- There will be no material impact on residential amenity (noise);
- There will be no material impact on transport and highways; and
- A good standard of accommodation is provided throughout;

The impact of an additional 11 bedspace – providing a total of 102 bedspaces – does not result in any different conclusions being reached within the accompanying consultant addendum reports. The scheme continues to accord with national and local planning policy and the same overall conclusions are reached as in the approved scheme, and the application to vary Condition 2 of the March 2017 decision should therefore be approved.

Please do not hesitate to contact me should you require any further information.

Yours sincerely,



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