

Recommendation Report for Planning Permission

REF NO: BR/38/22/PL

LOCATION: 18-20 London Road
Bognor Regis
PO21 1PY

PROPOSAL: Part conversion and extension of existing building to provide 6 additional storeys over existing rooftop, to provide for up to 104 No student residential units, with access from Bedford Street, associated servicing and ancillary accommodation, entrance and staircore extension to existing building to provide access from Bedford Street. (Resubmission of scheme approved under reference BR/270/18/PL). This application may affect the setting of listed buildings and may affect the character and appearance of nearby conservation areas. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application proposes to part convert the existing Wilko's building and then extend above it with a part 1 and part 5-6 storey extension providing for 104 student residential units. The following is a summary of the works and uses by floor:

- (a) Wilko's Store Ground Floor - part conversion to provide new pedestrian entrance from Bedford Street including lobby, new stairs, and lift. Some structural alteration of the perimeter of the existing shop floor areas.
- (b) Wilko's Store First Floor - part conversion of less than a third of the floorspace to provide 5 bedrooms with 1 shared kitchen, bin store, cycle store, cleaners store and office/post room.
- (c) Wilko's Store Roof - the ground floor of the new extension comprising 23 new bedrooms, 6 shared kitchens, 3 stores, laundry room, new plant room and external landscaped courtyard space. Wilko's will retain their existing second floor storage at the London Road end).
- (d) New Extension First Floor - 17 new bedrooms, 5 shared kitchens, 3 stores. Flat roof to the single storey element on the east side of the roof.
- (e) New Extension Second Floor - 17 new bedrooms, 5 shared kitchens, 3 stores.
- (f) New Extension Third Floor - 17 new bedrooms, 5 shared kitchens, 3 stores.
- (g) New Extension Fourth Floor - 17 new bedrooms, 5 shared kitchens, 3 stores; and
- (h) New Extension Fifth Floor - 6 new bedrooms, 1 shared kitchen, 2 stores. Also including protected external access across the roof to an existing staircase on the northern side of

the building in case of emergency. New plant will also be located on the roof.

The new extensions vary in height with only a single storey flat roofed (4.2m) increase to the London Road frontage (and set back from the roof edge by 5.3m). The main bulk of the extension is to the Bedford Street side of the roof, and this will be a total of 28.3m in height (albeit noting that the extension is 5-6 storeys high, and that the 6th storey (fifth floor) represents less than the area of the 5th storey (4th floor)). These tall extensions will be built right up against the Bedford Street end of the roof but will be set back from the London Road roof edge by 26.4m thus minimising any impact on the pedestrianised shopping street. The total height of the extension is only marginally higher than the height of the lift overrun on the adjacent Morrisons Car Park which is approximately 26m high.

Access for new residents will be from Bedford Street and part of the built frontage here will be a glazed stair core in the southwest corner. All flats are to be designed to be accessible to wheelchair users with four flats purpose designed to flexibly meet the requirements of Approved Document Part M and include bespoke wheelchair accessible bathrooms and kitchens.

Whilst the proposal is to provide student accommodation, there remains a possibility that within the lifetime of the proposal there may be requirement for a change of use and that the under the terms of the proposal, the building could be occupied as some form of House in Multiple Occupation (HMO). The applicant wishes to keep their options open as to the end use and therefore have requested that a condition not be imposed to restrict the use to student accommodation.

With the exception of the submitted Technical Reports (which have been updated), this application is an exact resubmission of BR/270/18/PL.

SITE AREA

0.12 hectares.

TOPOGRAPHY

Predominantly flat.

SITE CHARACTERISTICS

The site is a building of predominantly two storeys with a third storey on the London Road frontage. It has retail use at ground floor and offices/storage above. The roof is currently used for ventilation plant and the service lift over-run. The building has a shop front to London Road but is rendered to the remaining elevations. There is no allocated parking, but the site is close to town centre public car parks. Pedestrian access to the site is achieved from London Road and Bedford Street. A vehicle drop off point is located to the rear of the property on Bedford Street and deliveries occur during the night.

CHARACTER OF LOCALITY

Part of the main retail area of Bognor Regis town centre. This section of London Road is pedestrianised and is home to mostly retail properties. Bedford Street to the rear is characterised by rear service areas of commercial premises and by Morrisons & its associated car park to the west. Immediately neighbouring uses include Superdrug and Specsavers both of which have first floor offices. There are no residential properties immediately adjoining the site. London Road is typically low rise of between 2 and 3 storeys but there is a 5-storey car park above Morrisons to the west and then the large residential tower block, Fitzfleet House further to the west.

RELEVANT SITE HISTORY

BR/270/18/PL	Part conversion & extension of existing building to provide 6 No. additional storeys over existing rooftop to provide up to 104 No. student residential units with access from Bedford Street, associated servicing & ancillary accommodation, entrance & new internal stairs to existing building to provide access from Bedford Street. This application may the setting of listed buildings & the character & appearance of nearby conservation areas.	App Cond with S106 24-06-19
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This application is an exact resubmission of BR/270/18/PL which expired in June 2022.

REPRESENTATIONS

Bognor Regis Town Council raise no objection but request that developer contributions are put towards enhancements being made to Bedford Street, such as new lighting to improve the safety and security of residents. These enhancements should also include Fitzleet multi-storey car park. State would appreciate the opportunity to meet with developers to discuss, and help shape, these enhancements.

1 objection from a ward Councillor on the basis that it is a significant overdevelopment, is out of character in the centre of the town and very contentious with local residents.

COMMENTS ON REPRESENTATIONS RECEIVED:

The application is not liable for CIL and as per the previous permission, contributions are only required in respect of offsetting the impact on Pagham Harbour and fire safety. No other contributions can be secured, and it would not be appropriate to request additional contributions given the proposal is the same as before and there has been no change in the development plan to support additional contributions. The objector issues are discussed in the conclusions section, but it is material that no local resident representations have been received.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND: no objection subject to a contribution being secured to offset the likely impact of the accommodation in combination with other residential proposals on the Pagham Harbour Special Protection Area (SPA) and Ramsar site. Also require that this be formally checked by way of an Appropriate Assessment.

SUSSEX POLICE: no objection but make a number of recommendations for measures to improve the security of the proposed accommodation. These are set out in full on the Councils website dated 01/03/22.

WSCC FIRE: no objection subject to an informative regarding use of interior sprinklers.

WEST SUSSEX COUNTY COUNCIL HIGHWAYS: no objection subject to a condition to secure a construction management plan with the following comments:

- The site is sustainably located in walking distance of public car parks and close to a number of sustainable modes of transport including Bognor station and a wide variety of bus services.
- Chichester University's Bognor Campus is in walking/cycling distance of the site all within the existing footway network (approximately 20 mins walk or 10 minutes by cycle).
- The TA states that measures will be in place for students within the units to try and dissuade the use of cars, these include travel deals on the U7 bus service, cycle parking within the site and promotion of home working.
- The Planning Authority may wish to consider the potential impacts of this development on car parking on-street.
- Whilst car parking on-street is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety and therefore, would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision.
- The proposals would not be anticipated to generate any significant increase in vehicle movements which would warrant an objection in highway capacity terms.
- Within the TA some clarity is provided in relation to the construction phase of the development and the proposals will require the temporary suspension of some parking bays along Bedford Road should permission be obtained.
- The site provides for safe and suitable access and the opportunities for sustainable transport modes have been satisfactorily taken up; and
- The site will not result in a severe residual cumulative impact on the operation of the local highway network. Therefore, the proposals accords with paragraph 111 of the National Planning Policy Framework.

WEST SUSSEX COUNTY COUNCIL INFRASTRUCTURE: no objection subject to a fire and rescue contribution of £1,560 being provided to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

ADC LANDSCAPE OFFICER: advises no objections, recommend no conditions although do comment that further detail would be required re the specification and planting detail of the planters on the roof terrace. States no requirement or trigger for the provision of Public Open Space or Play on site with this development.

ADC DRAINAGE ENGINEERS: state no objection and due to no increase in impermeable area,

recommend no conditions. State any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations. Encourage the suggested option of a green or blue roof to reduce flow rates and provide biodiversity benefits.

ADC STRUCTURAL ENGINEERS: no objection with the following comments:

- The general principles provided could be adopted for the solution.
- The addendum feasibility report adds more insight into the proposed structural scheme with the large corner column sizes that support the plate girders more in line with what would be expected due to sway rather than just 305 UC columns.
- The reinforced stair core is also welcome again for the reasons of stability; and
- Further assessment of the existing structure and foundations is required in order to confirm the assumptions used in outlining the preliminary scheme. The information is intrinsic to finalise the proposed scheme lest further structural elements need to be introduced at a later stage.

ADC ENVIRONMENTAL HEALTH: no objection subject to a construction environmental plan condition, hours of construction working condition and a condition to secure a scheme to satisfactorily control internal noise levels.

ADC CONSERVATION OFFICER: advises that the development will result in less than substantial harm in accordance with paragraph 202 of the NPPF and so this harm must be weighed again the public benefits that the development may achieve. States:

- The proposed development is substantial in nature, and as such has the potential to be visible from a different number of locations. Bognor Regis has a substantial amount of heritage assets within the town including conservation areas, listed buildings, and locally listed buildings.
- Of note is the fact that the application site is located close to several Buildings of Character, it is approximately 100m from a Grade II Listed Building (The William Hardwicke, High Street); and approximately 150m from the edge of The Steyne Conservation Area.
- The conservation area is mainly focused around the two squares: Waterloo and the Steyne. These squares are flanked by nearly continuous, street fronted, development. Whilst there is a variety in age, style, and size of buildings, they are generally 2/3 storeys high, and
- It is considered that, due the height of the development it will be visible from within the conservation area. This opinion is confirmed by the Visual impact Assessment. The development would be read in the context of the other surrounding taller development, namely Fitzleet House.

COMMENTS ON CONSULTATION RESPONSES:

Noted except as discussed below.

NATURAL ENGLAND: An Appropriate Assessment (AA) was issued to Natural England for review on the 5th July 2022 and a copy is on the website. Natural England confirmed on the previous application that it is appropriate for the contribution to be calculated using the same approach to student accommodation as the Bird Aware Solent strategy. This is because the site and interest features are similar to the Solent harbours, therefore it is likely that people, pets, and wildlife will behave in the same way. As pets are not allowed in student accommodation and around half of major disturbance events recorded in the Solent were from dogs off leads, a 50% reduction in the tariff is appropriate. To further achieve a consistent approach, 5 student bedrooms should be treated as one residential dwelling.

ADC LANDSCAPE OFFICER: The request for detail of the planters is noted but a condition would not be reasonable given the minor nature of the planting proposed and the limited impact of such landscaping on local character. Species choice can be reserved to the applicant.

ADC STRUCTURAL ENGINEERS: No further assessment was requested on the previous application. Instead, the standard construction management plan was adapted to include requirements concerning building safety and the same approach will be taken with this application.

ADC ENVIRONMENTAL HEALTH: The applicant has subsequently supplied an updated copy of the previous acoustic assessment and therefore it is appropriate to re-impose the previous condition (rather than the condition that it is now requested) which specifies that the identified mitigation measures (glazing & ventilation) be implemented.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Boundary;
 Bognor Regis Economic Growth Area;
 Primary Retail Frontage (London Road);
 Within 5km of Pagham Harbour SPA;
 Within 2km of Bognor Reef SSSI;
 Within 2km of Felpham SSSI;
 Current & Future Flood Zone 1;
 Close to several Buildings of Character (on London Road);
 Approximately 100m from the nearest Grade II Listed Building (The William Hardwicke, High Street); and
 Approximately 150m from the edge of The Steyne Conservation Area.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPDM1	EMP DM1 Employment Land: Development Management
EMPSP2	EMP SP2 Economic Growth Areas
INFSP1	INF SP1 Infrastructure provision and implementation
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
RETDM1	RET DM1 Retail development
RETSP1	RET SP1 Hierachy of Town Centres
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
ENVDM2	ENV DM2 Pagham Harbour
HERSP1	HER SP1 The Historic Environment
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character

HSP4	H SP4 Houses in multiple occupation
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Bognor Regis Neighbourhood Plan 2015 Policy 1	Delivery of the Vision
Bognor Regis Neighbourhood Plan 2015 Policy 4	Reducing underuse of property in the town centre
Bognor Regis Neighbourhood Plan 2015 Policy 8	Pre-Application Consultation
Bognor Regis Neighbourhood Plan 2015 Policy 8A	Design Excellence
Bognor Regis Neighbourhood Plan 2015 Policy 8B	Car Parking

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPPDG	National Design Guide

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021
SPD9	Buildings or Structures of Character

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Relevant policies of the Bognor Regis Neighbourhood Development Plan are discussed in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal complies with most of the relevant Development Plan policies in that the new building would not have a materially adverse effect on the townscape or the visual amenities of the locality and

there would be no harm to amenities of nearby residential properties. The lack of parking will not result in highway safety issues and there will be no harm to the viability or vitality of the Bognor Regis town centre. There will be less than substantial harm to heritage assets in the town centre area. There is some conflict with policy D DM4 in that the extension is not visually subservient to the host building.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE:

The development is in the built-up area boundary (BUAB) where residential development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) provided it is in accordance with other policies of the ALP covering such issues as impact on the town centre, heritage, design, residential amenity, space standards, highway safety, security, pollution, waste management, telecommunications, climate change, biodiversity, infrastructure, and impact on Pagham Harbour.

The National Planning Policy Framework (NPPF) advises planning decisions should promote and support the development of under-utilised land, especially if this would help to meet identified needs for housing (para 120d). Para 125 states where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure developments make optimal use of the potential of each site. Higher densities will be encouraged for city/town centres and other locations that are well served by public transport.

The proposal accords with ALP policy SD SP2 and with the NPPF guidance on the efficient use of land.

PLANNING POLICY ON HMOs:

The proposal, whilst described as student accommodation, would allow for future occupation as an HMO. It is necessary to consider ALP policy H SP4 which states that planning applications for houses in multiple occupation (HMOs) will be favourably considered where the proposal contributes to the creation of sustainable, inclusive, and mixed communities and meet the following criteria:

- a. Do not adversely affect the character of the area including eroding the balance between different types of housing, including family housing.
- b. Do not contribute to the generation of excessive parking demands or traffic in an area; and
- c. Provide adequate areas of open space.

The development will support the local community by providing student accommodation to help meet future needs, support local educational institutions, create/maintain construction jobs and result in

additional spending in the local area by future student residents.

There is no conflict with criteria (a) as the use is in the town centre (not in a residential area) and the addition of residential accommodation would not be out of character. Criteria (b) and (c) will be addressed in the following sections of this report but it is concluded that overall, the proposal is acceptable.

IMPACT ON THE TOWN CENTRE:

AP policy RET SD1 states Bognor Regis and Littlehampton will be the main focus for major retail, leisure, commercial, office, tourism, cultural, community and residential development - and that the council will positively welcome developments & initiatives aimed at the sustainable economic growth and social wellbeing of these centres.

ALP policy EMP SP1 states the council will promote the sustainable growth of the District's economy to meet the varying needs of different economic sectors and to support regeneration within the two main towns. The policy sets out support for "the provision of appropriately scaled development where such uses compliment, and are compatible with, employment/commercial uses".

The new accommodation will increase footfall in and around the town centre which will result in a boost to the sales of local shops, particularly those catering to the student demographic. A populated building in a central location also adds an element of passive surveillance during those times when an area is least inhabited, and this can help reduce anti-social behaviour in town centres.

ALP policy RET DM1 states that town centre uses will be permitted provided that:

- (a) The proposal is of a high standard of design, materials and layout and has due regard to the character of the site and its surroundings, however this does not limit the potential for outstanding or innovative design to enhance the character of the area.
- (b) It is easily accessible by public transport.
- (c) It includes provision for access by cycle and on foot.
- (d) It includes appropriate provision to enable access for people with disabilities; and
- (e) The design incorporates crime prevention measures.

The policy then states proposals for the re-use of vacant floorspace on the upper levels for residential, commercial and community purposes will be permitted provided that:

- (a) It can be demonstrated that non-retail use of the upper floor will not inhibit business needs for workspace, storage or retail expansion.
- (b) The development has no significant adverse effects for the occupiers of neighbouring properties; and
- (c) The proposal reflects the need to minimise noise intrusion.

The policy states a reduction in car parking standards will normally be acceptable provided there is no adverse effect on the levels of traffic congestion and road safety.

The proposal complies with RET DM1 as the extension has been well designed such that it enhances its surroundings and is not out of character given the presence of other tall buildings in the town centre. The site is well located with regard to public transport and the building includes disabled access, a cycle store, and measures to prevent crime & unsocial behaviour.

The proposed partial use of the existing first floor of Wilko's will not be detrimental to the existing retail use as the commercial store will remain operational and will retain a large area of storage & office space.

It is understood that nationally Wilko's are seeking to reduce retail storage areas to reduce rental payments on buildings they lease. There are no residential properties to consider in terms of impact. A noise assessment has been submitted and this is discussed elsewhere in this report.

Policy 4 of the Bognor Regis Neighbourhood Development Plan (BRNDP) states proposals to reuse empty/underused property above shops and commercial premises located along designated primary and secondary retail frontages will be supported.

The application includes a Solar Study which seeks to demonstrate that new extension will not result in any new shading of London Road. The study provides images showing shadows caused by the extension at certain times of the day on the 21st of December (Winter Solstice) and 21st June (Summer Solstice). The study demonstrates the extension will not cast any greater shadow over London Road than existing buildings. There will be some shading of Bedford Street and Morrisons Car Park when the sun is in the east. The majority of shade will be over rooftops of existing buildings. Therefore, the extensions will not have any impact in terms of shading on Bognor's main shopping street.

The proposal accords with ALP policies EMP SP1, RET SP1 & RET DM1 and policy 4 of the BRNDP.

HERITAGE ASSETS:

The site is not a heritage asset in itself. However, there are several non-designated heritage assets (Buildings of Character) within the town centre (including several in London Road), two Conservation Areas within 190m of the site and also Listed Buildings elsewhere in the town centre. There is potential for the development to affect the setting of these heritage assets.

ALP policy HER DM1 requires proposals protect and enhance the setting of Listed Buildings. Policy HER DM2 does not refer to setting and instead seeks only to protect such buildings from direct impact. Policy HER DM3 lists criteria for proposals affecting the setting of a Conservation Area. In particular, proposals should not harm important views into, out of or within the Conservation Area. BRNDP policy 1 requires that proposals affecting designated and non-designated heritage assets should demonstrate how proposed changes will support the delivery of relevant BRNDP objectives and the vision for Bognor Regis.

Paragraph 194 of the NPPF requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 195 then requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that is affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is no harm, 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in para 202).

The submitted planning statement includes a commentary on heritage issues and there is also a Visual Impact Assessment (VIA) which assesses the impact of the building on views from the local area. The submission states:

- The proposals are some distance from the nearest Conservation Areas, and it is concluded the proposals will not have any material or adverse impact upon this.
- The VIA concludes the development will have at worst a moderate impact but that in the case of many viewpoints, the impact will be minor or negligible.
- Areas containing important buildings are not affected.
- The proposal has been designed, in terms of materials and massing, to be sensitive to its proximity to London Road and the main built elements face onto Bedford Street; and

- The proposals will not have any unacceptable or detrimental impact upon designated or non-designated heritage assets or the setting of these.

Given there is no direct impact on nearby heritage assets and although the building will be visible from the Conservation Area, there is other existing built development in between. The council's conservation officer concludes that the harm to heritage assets will be less than substantial and on the lower end of the scale. As such, it is necessary to take account of the public benefits of the proposal which consist of:

- The benefit the local economy by bringing in additional customers to the town centre shops and services.
- The benefits to streets surrounding the site from increased natural surveillance, reducing crime & anti-social behaviour.
- The benefits to the stock of family sized housing in town by reducing demand for student occupation; and
- The benefits to the University of Chichester through the provision of additional accommodation.

The benefits are significant and therefore outweigh the less than substantial harm as identified. There are no conflicts with the relevant development plan policies.

DESIGN AND CHARACTER:

ALP policies D SP1 and D DM1 require development to make the best possible use of land by reflecting or improving on the character of the site/surrounding area. D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. These seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours, and the locality. In particular, extensions should be visually subservient to the host building.

BRNDP policy 8a is relevant due to this being a major development within the town centre area and it requires that new development demonstrate 'design excellence' and help to establish a strong sense of place, create attractive and comfortable places to live, work and visit. This should include using good quality materials.

The Arun Design Guide is a material consideration and has been published since the previous decision. Section J refers to building design and states new development must ensure the existing character and sense of place of an area is respected and enhanced. This can allow for new design forms but only where these take cues from well-designed elements of the existing area. New development should generally reflect the scale of existing buildings and should avoid overshadowing of neighbouring properties. Roof extensions should not be visually intrusive or block light into surrounding properties. They should not detract from the character and appearance of the building and local area.

The development will increase the height of the building however the main bulk of the height is set back from the London Road roof edge such that it is unlikely the additional height will be visible from the pedestrianised area. The full height will be noticeable from Bedford Street but although the bulk is greater, the total height will only be marginally higher than the highest part of the Morrisons Car Park and much lower than the tallest building in the town centre (Fitzfleet House) which is around 50m high.

Views of the extensions from viewpoints to the west of the site will take in the rears of commercial premises which front London Road. Such views will be taken across Morrisons car park and will also take in the multi-storey car park. This area to the west of London Road is not particularly attractive and although the extension will be large, it is unlikely to harm the townscape from these directions. Long distance views from Station Road/High Street to the north/south will be limited and from these directions, the building should blend in with the town centre roofscape.

Notwithstanding the character of Bedford Street, the design of the scheme ensures that the extension is not read as an oppressive vertical elevation and ensures that there is transition between the rear of Wilko's and the new build above. The revised design comprises three distinct elements which come together to make a whole: the existing street level; a remodelled first floor; and new upper storeys. The design uses the remodelled first floor which is viewed in landscape to act as a transition from the existing to the new vertical extensions above. The design uses a shadow gap between the two elements to express the difference between existing and new. New windows on upper elevations are recessed or protruding.

The materials have been influenced by the context in which the site sits, and materials are chosen which are similar to those found in the surroundings as to not appear out of place. White render is similar to the white masonry paint and render found in properties across the town whilst the mixed brick slip cladding relates to the predominant masonry appearance of the buildings neighbouring the rear of the plot, shades of which vary from cement greys through to buff and red variations. The render has a long guarantee such that the appearance of the building will not deteriorate due to age.

The development demonstrates a high standard of architectural principles and uses materials which reflect the surrounding area. The density of the scheme is considered to be appropriate given the sustainable location and the constraints on development such as structural load and need to minimise overshadowing. There will be an impact on the character of the townscape in this location however, this will be a positive change to the local townscape and will create a new focal point for the Bedford Street/Morrisons Car Park area adding to the sense of place in this location.

The proposal conflicts with policy D DM4 in that the extensions are not visually subservient to the host building and there is also conflict with the Design Guide for the same reason. However, there is no conflict with ALP policies D DM1 & D SP1 or with policy 8a of the BRNDP.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. Policy D DM4 requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. The ADG sets out guidance on interface distances between dwellings and these are: 21m for back-to-back, 16m for front to front and 14m for front/back to side.

The site does not lie in a residential area and there are no nearby residential properties that would be adversely affected by the proposals. There may be some residential conversions in upper floors of buildings fronting London Road however the upper floors of the extension are set well back from the London Road elevation such that adequate interface distances between residential windows are maintained. At the closest point, there is 17.5m between the single storey accommodation block on the Wilko's roof element and the facing properties on London Road. There is no conflict with policies D DM1, QE SP1, D DM4 or the Design Guide.

QUALITY OF ACCOMMODATION:

Both the ALP policy D DM2 and the Design Guide require that new residential development provide sufficient internal living space to ensure a decent standard of amenity for future occupants. However, the national standards do not provide any relevant guidance for HMOs and as the accommodation has shared living accommodation, it is not appropriate to apply the standards for a 1 bed flat.

Instead, regard should be had to Arun's "Standards for Houses in Multiple Occupation" (March 2019). Although this is not planning policy, it would be necessary for the scheme to comply with these standards if it were to be occupied as an HMO in the future. This is not a material planning consideration as it is covered by separate legislation however it was assessed in the previous application as provided below and there are no changes to this:

"The applicant states that all room sizes are in excess of the minimum requirements set out for HMOs, based on the 'accommodation with facilities shared by occupiers' scenario. The non ensuite rooms are generally a minimum of 11.6m² whilst ensuite bedrooms are 14.5m² (12.3m² plus ensuite). Kitchens vary depending on the number of bedrooms they serve but exceed the standards. The layout has been designed following the requirements of the University of Chichester Student Accommodation Standard Design Guidelines document and includes disabled friendly accommodation."

ALP Policy H SP4 does not define what level of open space is adequate and the councils Design Guide only provides standards for flatted accommodation or houses. The scheme proposes both internal (shared living room space) and external amenity space (consisting of a podium level hard landscaped external seating area). The site is in close proximity of the beach and Hotham Park such that residents can easily access places to sit out. Student residents will also have access to recreation facilities at the University. Should the use change in the future to become an HMO then the residents would have access to the same external amenity areas within the building envelope.

The proposal complies with ALP policies D DM1 & D DM2 and the Design Guide.

HIGHWAY SAFETY AND PARKING:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking. Policy T DM1 requires new development be located in easy access of established non-car transport modes/routes

Para 110 of the NPPF states: "In assessing .. specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para 111 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

BRNDP policy 8b states that major developments should demonstrate through a Transport Assessment and Travel Plan that they do not impact on existing capacity of public highways to accommodate parking and regard should be had to seasonality of parking needs in Bognor Regis. The application is accompanied by a Transport Statement (the Councils validation criteria requires a Statement as opposed to an Assessment and also does not require a Travel Plan for this development).

West Sussex Highways have assessed the proposal and raise no objection. They state the proposals is not anticipated to generate any significant increase in vehicle movements which would warrant an objection in highway capacity terms. In respect of parking, they note that the Transport Statement includes measures to dissuade the use of cars. In addition, a Framework Management Plan has been submitted which states that tenancy leases will contain a stipulation that residents will not be car users and this management plan will be enforced through a condition. This will also apply should the use in future become an HMO. This approach was accepted previously and is also in line with previous permissions granted for student accommodation elsewhere in the area including but not limited to

BR/42/22/PL and BR/270/16/PL.

The Management Plan also states tenant move/out days will be staggered during summer months such that the impact on existing local pay & display parking facilities will be minimised. Due to the sustainable location, students will not need to own a car to get between the site and the University or to access shops, local services, and other facilities. WSCC Highways state the nil parking provision will not adversely affect highway safety. The application includes a large internal cycle store such that students can cycle to and from nearby facilities whilst remaining confident of the security of their bicycle.

The proposal complies with the NPPF guidance and the relevant policies of the development plan.

LIGHT & NOISE POLLUTION:

ALP policy QE DM2 states outdoor lighting should not have an adverse impact on neighbouring uses or the wider landscape, particularly with regard to the South Downs International Dark Sky Reserve designation. Further, that schemes proposing outdoor lighting be accompanied by an assessment.

The application states it is intended to minimise light pollution by automatically controlling the lights and using an appropriate average luminous efficacy. The documents state it is anticipated the building will have external lighting, but this will be developed in line with the requirements of this issue (specific lighting levels and auto switch off between 23.00 and 7.00 other than safety or security lighting). It is intended to coordinate with the Council to use lighting to enhance the public realm. There is no objection from Environmental Health regarding light pollution. However, a condition will be imposed to secure approval of the final lighting design. On this basis, the proposal accords with QE DM2.

Policy QE DM1 states that residential development likely to experience road noise must (a) be supported by a noise exposure category assessment and designed to ensure that residents will not be adversely affected by noise; and (b) consider both the likely level of exposure at the time of application and any increase that might be reasonably expected in the foreseeable future.

The submission includes an acoustic assessment which specifies noise mitigation measures namely the use of acoustic insulation to the building including window designs, air vents and the use of rockwool as insulation. The council's environmental health officer raises no objections subject to a condition regarding appropriate glazing of windows to ensure appropriate internal noise levels. The submitted management plan (which will also be subject to a condition) states a local agent will be provide an out-of-hours on-call service (24 hours and weekends) for tenants to report emergency issues. An on-site warden will then report back on any issues that may arise. The assured standard tenancy agreement will also be modified to include penalties for unsocial behaviour, noise disturbance and pollution. The proposal is in accordance with policy QE DM1.

SECURITY:

Policy D DM1 requires new development provide security measures to make places feel safer. It states this should be achieved through natural surveillance and human presence by locating buildings along public routes and spaces. It is also relevant to consider 'Secured by Design' principles.

The proposal will add movement and population to a comparatively under-occupied frontage along Bedford Street and the design follows all relevant Secure By Design protocols. Improved security on site and adjacent rooftops will occur due to passive surveillance and occupied spaces will reduce the opportunity for trespass which is understood to have been an issue across rooftops on London Road. Lighting will further aid in reducing concealed locations available for potential crime and it is proposed that path improvements are to be included with the works to include a suitable handrail barrier or posts at

the pedestrian entrance to form protection from vehicle collision.

The application has been assessed by Sussex Police who raise no objections but make a series of recommendations as to the security of the building. An informative will direct the applicant to ensure that these measures are implemented. The proposal is in accordance with policy D DM1.

WASTE MANAGEMENT:

ALP policy WM DM1 advises that all new residential development must be designed to ensure that kerbside collection is possible for municipal waste vehicles. Section H.07 of the Arun Design Guide advises that it should meet the requirements of users of the buildings while being as unobtrusive as possible. It should be convenient and safe for users to access and ensure efficient collection by waste vehicles.

The waste management arrangements comprise of a dedicated bin store on the first floor of the building accessed by a lift from the ground floor. Each 'unit' of 5 bedrooms is allocated the equivalent of 240 litres of waste & 240 litres of recycling storage. Collection would be arranged privately and would entail the collection company using the lift to take bins to street level. This equates to a 16m travel distance per bin.

There is no requirement for the council to provide this service for student accommodation but there is potential in the future that the building is occupied as a different kind of HMO. If this were the case, the residents would pay Council Tax and the council would be liable to collect the waste. On the previous application, the councils cleansing manager expressed concern at the potential for council refuse operatives having to enter a building to collect waste and it is preferred to collect from the street. There is not enough space within the pavement to temporarily store the bins until they are emptied.

In order to resolve this the applicant previously agreed to a provision in a section 106 legal agreement which, should the building be occupied in such a way as to require the Council to collect waste, will require the payment of a financial contribution to the Council to cover the additional costs of having to enter the building. This resolves potential issues with waste collection should the building change use. The applicant has agreed to this provision remaining in the agreement and this decision will be made subject to a Deed of Variation to the previous agreement to ensure it applies to the new permission. The proposal therefore complies with WM DM1.

TELECOMMUNICATIONS:

ALP policy TEL SP1 state all proposals for new residential, employment and commercial development must be designed to be connected to high quality communications infrastructure. This policy will be adhered to by means of a condition to require evidence of such a connection before the student rooms are occupied. On this basis, there is no conflict with the policy.

CLIMATE CHANGE/SUSTAINABLE CONTRUCTION:

ALP policy ECC SP2 requires all new residential and commercial development be energy efficient and should incorporate decentralised, renewable, and low carbon energy supply systems. It states for major developments, 10% of the total predicted energy requirements should be produced from renewable/low carbon energy generation on site, unless it is demonstrated this is unviable. Policy ECC SP1 requires that new development be designed to adapt to impacts arising from climate change. The application sets out:

- The core of the building will act as a thermal mass, helping retain a portion of the available heat and

distribute it passively through the core circulation spaces.

- Highly insulated external walls and windows (exceeding minimum standards of the Building Regulations) reduce energy usage through the life of the building.
- Mechanical heat recovery and passive ventilation strategy aim to minimise fuel usage through careful design considerations; and
- The use of rockwool as the predominant insulation greatly increases thermal performance of walls.

A Sustainability and Energy Efficiency Report has also been provided which indicates the use of air source heat pumps, a roof mounted photovoltaic array, passive building design features, high efficiency condensing boiler technologies, factory applied insulation on domestic hot water stores, heat recovery ventilation systems, high efficiency lighting installations with occupancy and photocell controls where appropriate and an intelligent automatic control system to optimise system performance, and energy efficient lift systems and white goods. The application is also accompanied by a BREEAM Pre Assessment which concludes the building will achieve excellent status should the assumptions summarised in the document be taken forwards.

On this basis and with the imposition of a condition to secure the appropriate energy efficiency technologies, the proposal will comply with policy ECC SP2.

BIODIVERSITY:

ALP policy ENV DM5 requires proposals achieve a net gain in biodiversity and protect habitats on site. The application is not accompanied by an ecological appraisal but existing buildings in high density urban areas and town centres tend to have low potential as habitat for protected species therefore this is acceptable. However, it is still necessary to demonstrate biodiversity net gain and so a condition will be imposed to seek a biodiversity enhancement strategy. This could for example seek the installation of bird/bat besting facilities and green roofs. This satisfies the policy requirements.

STRUCTURAL ISSUES:

There are no policies in the development plan which discuss the structural aspects of development other than in respect of Listed Buildings or the conversion of rural buildings. The development has been designed around the use of lightweight & sustainable materials to ensure unnecessary additional loadings are mitigated so that as much of the existing structure can be utilised and to ensure the new structure can be incorporated into the existing store with minimal impact on the shop. Modular design and construction also allow for increased off-site construction. The application has been assessed by the Councils Structural Engineer and the structural matters will be considered through the Building Regulations process.

INFRASTRUCTURE REQUIREMENTS:

ALP policy INF SP1 requires development proposals provide or contribute towards the infrastructure & services needed to support development to meet the needs of future occupiers and the existing community. This type of development is not liable for CIL, so it is appropriate to seek mitigation through a s106 legal agreement.

WSCC have requested a financial contribution of £1,560 towards the supply and installation of fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis. This contribution is necessary to make the development acceptable in terms of ALP policy INF SP1, is directly related to the needs of the development (with the contributions required to meet the demands of - and mitigate the impacts of - the development) and is fairly & reasonably related in scale and kind. This is secured by the Deed of Variation that enables the previous agreement to apply

to this new permission.

PAGHAM HARBOUR:

ALP policy ENV DM2 requires residential developments in a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £871 per new unit was agreed by the Council's Cabinet on 10 April 2017. The site lies in the designated Zone B and in accordance with previous advice from Natural England, the contribution has been calculated in accordance with the same approach to student accommodation as the Bird Aware Solent strategy.

As pets are not allowed in student accommodation and around half of major disturbance events recorded in the Solent were from instances where dogs were off a lead, a 50% reduction in the tariff is appropriate. To achieve a consistent approach, 5 student bedrooms should then be treated as one residential dwelling. The contribution has been calculated by dividing the number of bedrooms by 5 and then by 2. The contribution will be £9,058.40 and this is secured by the Deed of Variation that enables the previous agreement to apply to this new permission.

Notwithstanding, Arun DC are also required by planning law to carry out an Appropriate Assessment (AA) to assess the impact of increased recreational disturbance arising from the proposal on the Pagham Harbour Special Protection Area (SPA) & Ramsar Site. An AA was issued to Natural England for review on the 5th of July 2022 and their response was received on 13/07/22 stating that they do not object to the granting of the permission subject to the planning obligation being secured. As the DoV to the previous s106 agreement has now been completed, there is no conflict with policy ENV DM2

SUMMARY:

The proposed development will dramatically alter the character of the local townscape however this impact will be positive, and the building has been designed to minimise impacts on the area to ensure compliance with the policies of the development plan when read as a whole. The development will benefit the town centre through increased footfall and through better natural surveillance of existing buildings & public spaces. The development is judged to represent design excellence and will help to establish a better sense of place to what is currently a service access to existing commercial properties.

There is some conflict with D DM4 and the Design Guide in that the extensions are not visually subservient to the host building, but this conflict is outweighed by the benefits to the scheme. Similarly, the benefits outweigh the less than substantial harm to heritage assets. This report has addressed all of the relevant policies of the Arun Local Plan, the Bognor Regis Neighbourhood Development Plan and the NPPF guidance. There will be no harm to the town centre, to the character of the area, to residential amenity, to the existing environment and townscape or to the safety and convenience of local highways.

The application will be approved with a Deed of Variation to enable the previous s106 Agreement to apply to the new permission. This proposal would represent a boost to the Council's current HLS shortfall, meets the definition of sustainable development and an approval would accord with paragraph 11c of the NPPF. The proposal is therefore recommended for approval subject to conditions and the signed Deed of Variation to the previous s106 legal agreement.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human

Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

This decision will be granted in accordance with a Deed of Variation to the previously completed s106 legal agreement which secures:

FIRE AND RESCUE

A contribution of £1,560 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis. To be paid prior to commencement.

PAGHAM HARBOUR

A contribution of £9,058.40 towards the cost of delivering measures to avoid, or mitigate to an acceptable level, the harm caused to Pagham Harbour. This has already been paid following the approval of BR/270/18/PL.

WASTE COLLECTION:

A financial contribution to be made by the Owner to cover the additional cost to the Council of having to collect Household Waste and Recycling from the first floor of the Development as opposed to the ground floor which would normally be the case. This financial contribution will be strictly limited to the valid and substantiated costs associated with the Council having to collect Household Waste and Recycling from the first floor of the Development and for no other purpose. This provision shall apply if the development ceases to be used for Student Accommodation and is instead used for a purpose that requires the Council to collect Household Waste and Recycling from the Development.

RECOMMENDATION

1 The development hereby permitted shall be begun before the expiration of 3 years from the

date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

P150-P6 "Proposed Location Plan";
 P151-P6 "Site Plan Proposed";
 P610-P5 "Street Improvements Proposed";
 P201-P6 "Street Level Plan as Proposed";
 P202-P6 "Store First Floor Plan as Proposed";
 P204-P8 "Ground Floor Plan Proposed";
 P205-P7 "First Floor Plan Proposed";
 P206-P7 "Second Floor Plan Proposed";
 P207-P7 "Third Floor Plan Proposed";
 P208-P7 "Fourth Floor Plan Proposed";
 P209-P5 "Fifth Floor Plan Proposed";
 P210-P7 "Roof Plan Proposed";
 P221-P8 "Elevations North East Proposed";
 P222-P8 "Elevations South East Proposed";
 P223-P8 "Elevations South West Proposed";
 P224-P8 "Elevations North West Proposed";
 P250-P6 "Section A Proposed";
 P251-P7 "Section B Proposed";
 P260-P3 "Bay Elevation Proposed";
 P300-P5 "Proposed Flats Schedule";
 P500 Rev P1 "Typical Bedroom Layout";
 P501 Rev P1 "Typical Bedroom Elevations";
 P515 Rev P1 "Typical Kitchen Layout";
 P516 Rev P1 "Typical Kitchen Elevations";
 P600 Rev P1 "Cycle Storage Proposed";
 P615 Rev P1 "Refuse Strategy Proposed"; and
 P620-P2 "Landscape Proposed".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D DM4, T SP1, QE DM1, QE DM2 and QE SP1 of the Arun Local Plan.

- 3 No construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work involving power tools or machinery on Sunday or Bank/Public Holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 4 The development permitted shall only be carried out and occupied in accordance with the submitted "Framework Student Accommodation Management Plan" (Version 2.0) dated October 2018. The proposed mitigation measures shall be fully implemented prior to occupation of any part of the building and adhered to permanently thereafter. There shall be no deviation from these mitigation measures without approval in writing from the Local

Planning Authority. This condition shall apply to any future alternative uses of the building unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that local parking facilities are not adversely affected and to protect the amenities of nearby local residents, nearby businesses, and the new residents within the proposed accommodation in accordance with policies T SP1, T DM1, QE DM1 and QE SP1 of the Arun Local Plan.

- 5 The mitigation measures as detailed within the submitted acoustic report as a whole entitled "Vahnea Student Residences - Environmental Noise Assessment Acoustics Report" ref A1240 R01a and dated 04/03/22 must be adhered to without compromise. In particular, the glazing standards specified along with appropriate acoustic ventilation must be incorporated into the build and the materials used must match or better those standards quoted within the body of the report. Any deviation from the proposed planning application or any submitted alterations will need to be submitted to the Local Planning Authority for approval. In these circumstances, a further detailed noise assessment may be required to reassess the proposed alterations and the impact(s) these alterations may have upon the development. The mitigation measures as implemented must be permanently retained in good working order.

Reason: To protect the amenity of nearby local residents and the new residents within the proposed accommodation in accordance with policies QE DM1 and QE SP1 of the Arun Local Plan.

- 6 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council and the Councils Environmental Health Officers & Structural Engineer). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction (including details of any access by mobile cranes if required),
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works,
- An indicative programme for carrying out of the works,
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s),
- Safety measures to protect the occupiers of affected buildings and the general public during the construction phase
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination,
- Measures to control the emission of dust and dirt during construction,
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby

noise sensitive premises, the safety & general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 7 Prior to commencement of development, the applicant shall prepare and submit for approval in writing, an Employment and Skills Plan for the construction of the development. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to as it relates to the construction phase of development. This is required to be a pre-commencement condition because the details of this must be agreed prior to any construction activities taking place.

- 8 No development other than structural improvements to the existing building shall take place unless and until a Biodiversity Enhancement Strategy has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where applicable);
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation of any part of the building and shall be retained in that manner thereafter.

Reason: in the interests of demonstrating biodiversity net gain in accordance with policy ENV DM5 of the Arun Local Plan and the NPPF.

- 9 No development other than structural improvements to the existing building shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity the character and appearance of the town centre area by endeavouring to achieve a building of visual quality in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.

- 10 No development other than structural improvements to the existing building shall take place unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems in accordance with the recommendations of the submitted Sustainability and Energy Efficiency Report (or as otherwise agreed). The approved scheme shall thereafter be implemented prior to occupation of the building and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 11 Prior to the occupation of any part of the development, the applicant or developer shall ensure that infrastructure is implemented to allow for the provision of the highest available headline speed of broadband provision to future occupants of all of the development from a site-wide network provided as part of the initial highway works and in the construction of frontage thresholds to buildings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 12 No external lighting shall be installed on the building or site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 or updated standard. The lighting approved shall be installed and shall then be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1 and QE DM2 of the Arun Local Plan.

- 13 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 14 INFORMATIVE: This decision has been granted in conjunction with a Deed of Variation to enable the previous section 106 legal agreement to apply to the new permission. The previous agreement relates to the following provisions:

FIRE AND RESCUE

A contribution of £1560 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

PAGHAM HARBOUR

A contribution of £9,058.40 towards the cost of delivering measures to avoid, or mitigate to an acceptable level, the harm caused to Pagham Harbour.

WASTE COLLECTION:

A financial contribution to be made by the Owner to cover the additional cost to the Council of having to collect Household Waste and Recycling from the first floor of the Development as opposed to the ground floor which would normally be the case. This financial contribution will

be strictly limited to the valid and substantiated costs associated with the Council having to collect Household Waste and Recycling from the first floor of the Development and for no other purpose. This provision shall apply if the development ceases to be used for Student Accommodation and is instead used for a purpose that requires the Council to collect Household Waste and Recycling from the Development.

- 15 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents at <https://beta.southernwater.co.uk/infrastructurecharges>.
- 16 INFORMATIVE: Surface water drainage should be designed and constructed to comply with building regulation requirements. Infiltration should be fully investigated, if however it is found that infiltration does not work controlled discharge to ordinary watercourse will be required. The applicant should be aware that any proposals to discharge flows to a watercourse require Ordinary Watercourse Land Drainage Consent prior to works. A green or blue roof would be encouraged to reduce flow rates.
- 17 INFORMATIVE: This property will, when occupied, become a House in Multiple Occupation and will need to comply with the relevant fire safety and fitness for occupation standards under current Housing Acts. The applicant is advised to contact our Environmental Health Private Sector Housing Team for further information.
- 18 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police as available on the Councils website (dated 01 March 2022).
- 19 INFORMATIVE: All parts of the new student accommodation must be within 45m of a fire appliance in accordance with the requirements of Approved Document B: Volume 1 2019 edition B5 section 13. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS4854 standards.