

DECISION NOTICE

Application Ref: BR/38/22/PL

1 To Addressee

Harwood Savin Ltd
Wyvols Court
Swallowfield
Reading
RG7 1WY

2 Site Address

18-20 London Road
Bognor Regis
PO21 1PY

3 Description of Development

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.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the following conditions and Section 106 Agreement.

- 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.

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.

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.

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>.

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.

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.

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).

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.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **19th December 2022**

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

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

APPEALS TO THE SECRETARY OF STATE

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

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

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

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

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

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

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

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

PURCHASE NOTICES

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

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

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

highway land).