



BOGNOR REGIS TOWN COUNCIL

TOWN CLERK Glenna Frost, The Town Hall, Clarence Road,

Bognor Regis, West Sussex PO21 1LD

Telephone: 01243 867744

E-mail: bognortc@bognorregis.gov.uk

Dear Sir/Madam,

MEETING OF THE PLANNING AND LICENSING COMMITTEE

I hereby give you Notice that a Meeting of the Planning and Licensing Committee of the Bognor Regis Town Council will be held in **The Council Chamber, The Town Hall, Clarence Road, Bognor Regis** at **4pm on TUESDAY 2nd APRIL 2024**.

All Members of the Planning and Licensing Committee are **HEREBY SUMMONED** to attend for the purpose of considering and resolving upon the Business to be transacted, as set out hereunder. An opportunity will be afforded to **members of the public** to put **Questions/Statements** to the Committee during an adjournment shortly after the meeting has commenced. (NOTE: Members of the public will be asked to provide their name and are encouraged to put questions/statements in advance, in writing. Priority will be given to written questions/statements and these should be restricted to the functions of this Committee). Any written question received by 9am on Tuesday 2nd April from members of the public not able to attend the Meeting in person, will be read by the Chair during this adjournment.

PLEASE NOTE START TIME

DATED this 25th day of MARCH 2024

CLERK TO THE COUNCIL

AGENDA AND BUSINESS

1. Welcome by Chair
2. Apologies for Absence and their approval, subject to meeting the agreed criteria
3. Declarations of Interest
Members and Officers are invited to make any declarations of Disclosable Pecuniary, Other Registrable and/or Ordinary Interests that they may have in relation to items on this agenda and are reminded that they should re-declare their Interest before consideration of the item or as soon as the Interest becomes apparent and if not previously included on their Register of Interests to notify the Monitoring Officer within 28 days.
Members and Officers should make their declaration by stating:
 - a) the item they have the Interest in

- b) whether it is a Disclosable Pecuniary, Other Registrable or Ordinary Interest
 - c) the nature of the Interest
 - d) if it is an Ordinary Interest whether they intend to leave the room for the discussion and vote
 - e) if it is a Disclosable Pecuniary Interest or Other Registrable Interest, and therefore must leave the room for the discussion and vote, whether they will be exercising their right to speak on this matter under Public Question Time
4. To approve the Minutes of the Planning and Licensing Committee Meeting held on 12th March 2024
 5. Adjournment for public question time and statements
 6. Clerk's report from previous Minutes
 7. To consider Planning Applications on Lists dated 8th, 15th and 22nd March 2024
 8. To ratify any Pavement Licence application representations submitted by the Town Clerk in accordance with the Delegated Authority and process
 9. To consider Premises Licence Applications including any variations and any other Licence Applications. Also, Premises Licence 119485: PROMOCJA MARKET, 3 Richmond Road, Bognor Regis, PO21 1BU and Premises Licence 119480: Nando's, Unit G, Arun Retail Park, Shripney Road, Bognor Regis, PO22 9NF
 10. To receive an update in relation to ADC's Review of the Planning Local Validation Requirements List and to consider submitting any further comments in response to the consultation by 8th April 2024
 11. Correspondence

THERE IS A LIFT AVAILABLE AT THE TOWN HALL FOR ACCESS TO THE COUNCIL CHAMBER IF REQUIRED



BOGNOR REGIS TOWN COUNCIL

TOWN CLERK Glenna Frost, The Town Hall, Clarence Road,
Bognor Regis, West Sussex PO21 1LD
Telephone: 01243 867744
E-mail: bognortc@bognorregis.gov.uk

MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING

HELD ON TUESDAY 12th MARCH 2024

PRESENT: Cllr. Mrs. J. Warr (Chair), Cllrs: J. Barrett, S. Goodheart, Miss. C. Needs, P. Ralph, B. Waterhouse, P. Woodall and Mrs. G. Yeates

IN ATTENDANCE: Mrs. J. Davis (Assistant Clerk)

The Meeting opened at 4.02pm

165. WELCOME BY CHAIR

The Chair welcomed all those present. The Council's opening statement was read, and particular attention was drawn to the evacuation procedure in the event of the fire alarm sounding and the Council's Standing Orders relating to public question time.

166. APOLOGIES FOR ABSENCE AND THEIR APPROVAL, SUBJECT TO MEETING THE AGREED CRITERIA

With all Committee Members in attendance, there were no apologies for absence.

167. DECLARATIONS OF INTEREST

The Chair addressed those Members present to ask if they wished to confirm any declarations of Disclosable Pecuniary, Other Registrable and/or Ordinary Interests that they may have in relation to items on this Agenda.

As noted on the Agenda, Members and Officers should make their declaration by stating:

- a) the item they have the Interest in
- b) whether it is a Disclosable Pecuniary, Other Registrable or Ordinary Interest
- c) the nature of the Interest
- d) if it is an Ordinary Interest whether they intend to temporarily leave the meeting for the discussion and vote
- e) if it is a Disclosable Pecuniary or Other Registrable Interest, and therefore must temporarily leave the meeting for the discussion and vote, whether they will be exercising their right to speak on this matter under Public Question Time.

They then need to re-declare their Interest and the nature of the Interest at the commencement of the item or when the Interest becomes apparent.

They should request that it be recorded in the Minutes that they will leave the meeting and will neither take part in discussion, nor vote on the item.

As per the Agenda, it is each Member's own responsibility to notify the Monitoring Officer of all Disclosable Pecuniary, Other Registrable or Ordinary Interests notifiable under the Council's Code of Conduct, not already recorded on their Register of Interests Form, within 28 days.

The Chair reminded Members to declare their Interests as any arise or again at the relative point in the meeting if they have already.

There were no declarations of Interest

168. TO APPROVE THE MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING HELD ON 20th FEBRUARY 2024

The Committee **RESOLVED** to **AGREE** and approve the Minutes of the meeting held on 20th February 2024 as an accurate record of the proceedings and the Chair signed them.

169. ADJOURNMENT FOR PUBLIC QUESTION TIME AND STATEMENTS

There were no members of the public seated in the public gallery, therefore, the meeting was not adjourned.

170. CLERK'S REPORT FROM PREVIOUS MINUTES

There was nothing to report.

171. TO CONSIDER PLANNING APPLICATIONS ON LISTS DATED 16th, 23rd FEBRUARY AND 1st MARCH 2024

Cllr. Goodheart declared an Ordinary Interest in planning applications BR/9/24/PL and BR/26/24/HH, as these locations were close to his residential address, and stated that he would not take part in voting on either of these applications

171.1 The Committee noted that there were no views from other Town Councillors to report.

171.2 The Committee noted that no representations had been received from members of the public, or neighbouring parishes, in respect of these applications.

171.3 The Committee, having considered the applications, **RESOLVED** that its representations be forwarded to ADC (Appended to these Minutes as **Appendix 1**).

172. TO RATIFY ANY PAVEMENT LICENCE APPLICATION REPRESENTATIONS SUBMITTED BY THE TOWN CLERK IN ACCORDANCE WITH THE DELEGATED AUTHORITY AND PROCESS

The Assistant Clerk's report was **NOTED**.

Members **RATIFIED** the following representation, submitted by the Town Clerk in accordance with Delegated Authority and process, in relation to Pavement Licence application 119397 (The Landing Place, 1a West Lodge, The Esplanade, Bognor Regis, West Sussex, PO21 1GF): -

*"Members raised **NO OBJECTION** to Pavement Licence application 119397, although there was some concern about the proximity of the seating area with The Esplanade, in terms of patron's children potentially at risk of running into the road. However, the Committee noted that the seating plan indicates temporary barriers being in place which will hopefully mitigate this risk."*

173. TO CONSIDER PREMISES LICENCE APPLICATIONS INCLUDING ANY VARIATIONS AND ANY OTHER LICENCE APPLICATIONS

173.1 Licensing Act 2003

Premises: Yummy Kebab and Pizza Express, 10 High Street, Bognor Regis, PO21 1SR

Licence Number: 119383

The Committee noted the application received for a Premises Licence including: - Late Night Refreshment between the hours of 23:00 and 05:00 Monday to Sunday (inclusive), Take Away to 05:00, Delivery to 02:00.

Members **RESOLVED** to raise an **OBJECTION** to the Premises Licence being granted for the reasons outlined in the application, as they felt that allowing takeaway until 05:00 daily to be unacceptable and would fail to meet the licensing objective to prevent crime and disorder, owing to antisocial behaviour. It was considered highly likely that patrons seeking a takeaway at this time of night/morning would have been consuming alcohol. Furthermore, the licensing objective in relation to the prevention of public nuisance would be challenged by the potential for litter. Licensing legislation supports a number of other key aims, of which protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises is one such aim. Members did not consider this to be achievable by permitting takeaway until 05:00hrs.

173.2 Licensing Act 2003

Premises: Butlin's, Upper Bognor Road, Bognor Regis, PO21 1JJ

Licence Number: 119345

The Committee noted the application for a Variation of Premises Licence including: - To amend the start time for the sale of alcohol (for consumption on and off the premises) in respect of the venue known as 'Papa Johns' to begin at 09:00hrs Monday to Sunday (currently 12:00hrs);

To amend the start time for the sale of alcohol (for consumption on and off the premises) in respect of the venue known as 'The Diner' to begin at 09:00hrs Monday to Sunday (currently 12:00hrs); To add Live Music, Recorded Music and Performance of Dance 09:00hrs to 04:00hrs Monday to Sunday for the venue known as 'The Diner'.

Members **RESOLVED** to raise an **OBJECTION** to the Variation of Premises Licence being granted for the reasons outlined in the application. As a family resort, Members felt that a variation to the licence to permit the sale of alcohol from 09:00hrs in Papa Johns and The Diner would fail to meet the licensing objective in protecting children from harm by the serving of alcohol in these family eateries during the morning. Members also objected to the playing of music or performing of dance until 04.00hrs in The Diner as they felt that this would fail to meet the licensing objective in the prevention of public nuisance by causing disruption to those sleeping nearby.

173.3 Local Government (Miscellaneous Provisions) Act 1982
Premises: London Road, Bognor Regis
Licence Number: 119262

The Committee noted the application for Street Trading Consent for a General Market on Tuesdays (excluding January to mid-March) and Saturdays, 09:00hrs – 17:00hrs.

Members **RESOLVED** to raise **NO OBJECTION** to the Consent being granted.

174. CORRESPONDENCE

The Committee **NOTED** receipt of correspondence previously circulated.

Additional correspondence included: -

- 174.1** WSCC - News Release: West Sussex County Council seeks help from local residents to combat flooding.
- 174.2** ADC - Notification that planning application BR/6/24/PL (1 Argyle Road, Bognor Regis, PO21 1DY) is expected to be determined by the Planning Committee on 20th March 2024.
- 174.3** WSCC - News Release: Local leaders meet to address West Sussex water issues through strategic intervention.
- 174.4** WSCC - Public Notice that Sturges Road, at the junction with Linden Road, will be temporarily closed to traffic on 25th March 2024 for up to 5 days (it is estimated to be completed on 29th March 2024) and is required while works are undertaken to install a leakage and pressure monitoring meter. The restriction will be in place 24hrs/day with access maintained for residents and pedestrians. Emergency services should follow the diversion route for access.
- 174.5** ElanCity - Special offer on solar version radar speed signs.

The Meeting closed at 5.37pm

**PLANNING APPLICATIONS CONSIDERED AT THE MEETING OF THE
PLANNING AND LICENSING COMMITTEE HELD ON 12th MARCH 2024
(AS ADVERTISED BY ARUN DISTRICT COUNCIL ON LISTS 16th, 23rd FEBRUARY AND 1st MARCH 2024)**

The Planning and Licensing Committee of Bognor Regis Town Council **RESOLVED** as follows:

<p>BR/9/24/PL 20 Henry Street Bognor Regis PO21 1AR</p>	<p>Change of use from 1 No. dwelling to a 4-bedroom HMO. This application is in CIL zone 4 and is CIL liable as new dwellings.</p>	<p>OBJECTION Members were concerned about the size of the rooms, and whether the shape of some offered adequate useable living space that would meet the standards set out in the Chartered Institute of Environmental Health (CIEH) Amenity Standards for HMOs 1994, and the Houses in Multiple Occupation (Prescribed Description) (England) Order 2018. This was exacerbated by the lack of clarity in relation to the number of occupants proposed as "4-bedroom" does not necessarily mean 4-people.</p> <p>Members also felt that the proposal, due to the introduction of an additional HMO, will result in adverse harm to the character of the area and result in an imbalance of uses by the eroding of household types, contrary to criterion (a) of H SP4 of the Arun Local Plan.</p> <p>It has not been satisfactorily demonstrated that sufficient external amenity space / open space is provided for the four units.</p>
---	--	---

<p><i>BR/9/24/PL (continued)</i> <i>20 Henry Street</i> <i>Bognor Regis</i> <i>PO21 1AR</i></p>		<p>This conflicts with Arun Local Plan policy H SP4 (c), and Part H of the Arun Design Guide.</p> <p>In the absence of a parking study, it has not been demonstrated that the proposal would not contribute to the generation of excessive parking demands in the area contrary to criteria (b) of HMO policy H SP4. Furthermore, there is no cycle storage shown on the proposed plans and it is difficult to see how this could be achieved owing to a severe lack of external amenity space.</p>
<p><u>BR/26/24/HH</u> <u>11 Chichester Road</u> Bognor Regis PO21 2XG</p>	<p>Single storey front and two storey side extension following granted upward extension by BR/259/23/PD. New roof to existing conservatory. Widening the access gate. Demolition of existing garage.</p>	<p>NO OBJECTION</p>
<p><u>BR/28/24/HH</u> <u>9 Pinewood Gardens</u> Bognor Regis PO21 2XB</p>	<p>Single storey flat roof rear extension with roof light.</p>	<p>OBJECTION With the plans indicating that the extension would be sited on the boundary line shared with the neighbouring property (8 Pinewood Gardens), questions arise as to how the proposed extension will be maintained, in terms of gutters and soffit boards when there is no access to the southwest elevation. There is also the question of whether a party wall agreement for an extension being built along the boundary of these adjoining properties is required.</p>

<p><i>BR/28/24/HH (continued)</i> <i>9 Pinewood Gardens</i> <i>Bognor Regis</i> <i>PO21 2XB</i></p>		<p>The siting of the building is such that it has unneighbourly and significantly adverse impacts on the amenities of the occupiers of the neighbouring property (8 Pinewood Gardens) by way of appearing overbearing and oppressive in contradiction with Policies D DM1, D DM4 and QE SP1 of the Arun Local Plan, the Arun Design Guide and relevant parts of the NPPF.</p>
<p><u>BR/30/24/HH</u> <u>1A Normanton Avenue</u> Bognor Regis PO21 2TX</p>	<p>Removal of existing roof and building an extension to the front and a new first floor extension within the pitched roof with rear facing dormer. New highway access and vehicle crossover.</p>	<p>OBJECTION The scale, height, and siting of the building are such that it has an unneighbourly impact and causes substantial harm on the amenities of the occupiers of the neighbouring property to the north (15 Normanton Avenue) by way of appearing overbearing and oppressive in contradiction with Policies D DM1 and QE SP1 of the Arun Local Plan, the Arun Design Guide and relevant parts of the NPPF. Owing to the proximity of the rear (north) elevation to the boundary, windows of the proposed development would have a direct view into the garden of neighbouring property identified. Unless opaque glass were used in fixed windows to the rear then this would be unacceptable.</p> <p>It has not been satisfactorily demonstrated that sufficient external amenity space / open space is</p>

<p><i>BR/30/24/HH (continued)</i> <i>1A Normanton Avenue</i> <i>Bognor Regis</i> <i>PO21 2TX</i></p>		<p>provided for a dwelling of this size. This conflicts with Arun Local Plan policy H SP4 (c), and Part H of the Arun Design Guide.</p>
--	--	---

**PLANNING APPLICATIONS TO BE CONSIDERED AT THE MEETING OF THE
 PLANNING AND LICENSING COMMITTEE TO BE HELD ON 2nd APRIL 2024
 (AS ADVERTISED BY ARUN DISTRICT COUNCIL ON LISTS DATED 8th, 15th AND 22nd MARCH 2024)**

<p>BR/34/24/HH 113 Marshall Avenue Bognor Regis PO21 2TH</p>	<p>Demolition of existing canopy, construction of single storey extension to rear of house.</p>	<p><i>COMMENT BY 06-APR-2024</i></p>
<p>BR/32/24/PL The Regis School Westloats Lane Bognor Regis PO21 5LH</p>	<p>Construction of a new entrance and office extension. This application is in CIL zone 4 (zero rated) as other development.</p>	<p><i>COMMENT BY 13-APR-2024</i></p>
<p>BR/40/24/PO 22 Crescent Road Bognor Regis PO21 1QG</p>	<p>Application to remove paragraph 1 of Schedule 2 on the Section 52 Agreement dated 22/2/1988 linked to BR/520/87 that obligates that no person of less than state pensionable age is to occupy the property.</p>	<p><i>COMMENT BY 20-APR-2024</i></p>
<p>BR/41/24/CLE Branscombe 6 Ellasdale Road Bognor Regis PO21 2SG</p>	<p>Lawful development certificate for an existing use as a HMO comprising 7no bedsits.</p>	<p><i>COMMENT BY 20-APR-2024</i></p>



Licensing Act 2003 – Notice

Reference Number: **119485**

**PROMOCJA MARKET
3 Richmond Road
Bognor Regis
West Sussex
PO21 1BU**

has made an application for a Premises Licence under
the Licensing Act 2003

Proposed licensable activities

Supply of alcohol for consumption off the premises Monday to
Saturday between 08:00 and 23:00 and Sunday between 09:00 and
22:00

The application is open to representation from interested parties and
responsible authorities between 19-03-2024 and 16-04-2024

All representations should be made in writing and sent to:
Licensing Team, Environmental Health,
Arun District Council, Arun Civic Centre, Maltravers Road,
Littlehampton, West Sussex BN17 5LF

or emailed to licensing@arun.gov.uk

Relevant representations will be shared in full with the applicant for
consideration as well as being provided for consideration at a public
hearing where necessary

It is an offence to knowingly or recklessly make a false statement in
connection with an application and the maximum fine for this offence
is £5,000

LICENSING ACT 2003

NOTICE OF APPLICATION FOR A PREMISES LICENCE

Notice is hereby given that Nando's Chickenland Limited has applied for the grant of a Premises Licence at Nando's Unit G, Arun Retail Park, Shripney Road, Bognor Regis, West Sussex PO22 9NF to permit the sale of alcohol for consumption on and off the Premises Monday to Sunday 1100 to 0000 and the provision of late night refreshment 2300 to 0000 Monday to Sunday.

The full application and licensing register can be inspected at Licensing Section, Environmental Health Department, Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex BN17 5LF during normal business hours or online at www.arun.gov.uk

Any person wishing to make representations must submit them in writing to the Licensing Authority at the above address or by email to licensing@arun.gov.uk clearly stating the grounds for the representation no later than by 15th April 2024.

It is an offence for anyone to recklessly or knowingly make a false statement in connection with a licensing application. The maximum fine on conviction is unlimited.

Trethowans LLP

AGENDA ITEM 10

**BOGNOR REGIS TOWN COUNCIL
PLANNING AND LICENSING COMMITTEE MEETING
2nd APRIL 2024**

AGENDA ITEM 10 - TO RECEIVE AN UPDATE IN RELATION TO ADC'S REVIEW OF THE PLANNING LOCAL VALIDATION REQUIREMENTS LIST AND TO CONSIDER SUBMITTING ANY FURTHER COMMENTS IN RESPONSE TO THE CONSULTATION BY 8th APRIL 2024

REPORT BY THE ASSISTANT CLERK

FOR DECISION

At the Planning and Licensing Committee Meeting, held on 5th December 2023, Members received details of ADC's review of Planning Local Validation Requirements Lists. These lists provide details of the documents that need to be submitted in order for an application to be treated as valid. Some of the requirements are national ones specified in legislation and others are local requirements. Legislation requires that the local requirements are reviewed every two years to ensure that they are still proportionate. Having considered the copies of Validation Requirements Lists circulated by ADC, Members agreed to submit no comment in response to the consultation (Min. 117 refers).

The consultation ended on 22nd December 2023 and having reviewed the lists, ADC have made a significant number of changes as a result of the comments received. In view of this, it is felt that a further round of consultation should take place to allow further comment up until 8th April 2024.

The updated documents were emailed to Members of the Town Council's Planning and Licensing Committee on 25th March 2024. Members are invited to make a comment on the local requirements which appear in the second part of each document (after the national ones).

DECISION

Members are asked to **AGREE** any comments to be submitted in response to the second round of consultation in relation to ADC's review of Planning Local Validation Requirements Lists.

**BOGNOR REGIS TOWN COUNCIL
PLANNING AND LICENSING COMMITTEE MEETING
2nd APRIL 2024**

AGENDA ITEM 11 - CORRESPONDENCE

REPORT BY THE ASSISTANT CLERK

FOR INFORMATION

1. WSCC - Public Notice that the use of Hawthorn Road, Bognor Regis from junction with Chichester Road to Essex Road will be temporarily prohibited from 12/03/24. The restriction will be in place 24hrs. This emergency closure is necessary to allow Southern Water to attend to a sinkhole, excavation and repair required. It is anticipated the works will be completed by 25/03/24. Emergency vehicle, Residential and Pedestrian access will be maintained at all times. The alternative route for traffic will be signed on site.
2. ADC - Notification that representation against grant of licence for Premises Licence, Yummy Kebab and Pizza, 10 High Street, Bognor Regis, PO21 1SR (Min. 173.1 refers) is not valid.
3. ADC - Notification that representation against the grant of a Variation to a Premises Licence for Butlin's, Upper Bognor Road, Bognor Regis, PO21 1JJ (Min. 173.2 refers) is not valid.
4. Email from Cllr. Nash, District Councillor for Pevensey Ward, confirming that he will submit a written request to the Chairman and/or Vice Chairman of ADC's Planning Committee in asking that Planning Applications BR/28/24/HH (9 Pinewood Gardens, Bognor Regis, PO21 2XB) and BR/30/24/HH (1A Normanton Avenue, Bognor Regis, PO21 2TX) be presented to the Committee for decision.
5. ADC - Notification that a large group of Travellers were present in Northgate Car Park, Chichester – 15th March 2024. Update received 19th March 2024 to advise group moving on to location unknown.
6. ADC - Notification that an appeal has been made to the Secretary of State against the decision of Arun District Council to refuse planning permission to Variation Of Conditions 3 And 4 following the grant of BR/73/16/PL (Rocks Bar & Restaurant, 41-43 High Street, Bognor Regis, PO21 1RX) relating to opening hours and hours of use of outside seating area.