



BOGNOR REGIS TOWN COUNCIL

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MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING

HELD ON TUESDAY 23rd MAY 2023

PRESENT: Cllr. Mrs. J. Warr (Chairman), Cllrs: J. Barrett,
S. Goodheart, B. Waterhouse and Mrs. G. Yeates

IN ATTENDANCE: Mrs. J. Davis (Assistant Clerk)
Cllr. P. Ralph seated in the public gallery
1 member of the public in the gallery

The Meeting opened at 4.04pm

1. TO NOTE THE APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN AS AGREED AT THE ANNUAL TOWN COUNCIL MEETING HELD 22nd MAY 2023

It was noted that Cllr. Mrs. J. Warr was elected Chairman and Cllr. Woodall was elected Vice-Chairman of this Committee at the Annual Town Council Meeting held on 22nd May 2023.

2. CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES FOR ABSENCE

The Chairman 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.

Apologies for absence had been received from Cllr. Woodall who was working.

3. DECLARATIONS OF INTEREST

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

Cllr. Mrs. Yeates declared an Ordinary interest as a Member of Arun District Council

4. TO APPROVE THE MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING HELD ON 25th APRIL 2023

The Committee **RESOLVED** to **AGREE** and approve the Minutes of the Meeting held on 25th April 2023 as an accurate record of the proceedings and the Chairman signed them.

5. ADJOURNMENT FOR PUBLIC QUESTION TIME AND STATEMENTS

There were no questions or statements from those seated in the public gallery, therefore, the meeting was not adjourned.

6. TO NOTE THE TERMS OF REFERENCE FOR THE PLANNING AND LICENSING COMMITTEE AS ADOPTED AT THE ANNUAL TOWN COUNCIL MEETING HELD 22nd MAY 2023

The Assistant Clerk's report, including the appendix detailing the Terms of Reference for the Planning and Licensing Committee, was **NOTED**.

7. TO RATIFY DELEGATED DECISIONS INCLUDING RESPONSES MADE TO PLANNING APPLICATIONS ON LIST DATED 21st APRIL 2023

The Assistant Clerk's report and Appendix detailing the relating application was **NOTED**.

Owing to the local elections held on 4th May 2023, there was not a meeting of the Planning and Licensing Committee that would have allowed for planning applications on List dated 21st April to be considered in-person. Therefore, Members of the Planning and Licensing Committee were instead canvassed for their opinion on planning application BR/71/23/RES and corresponding comments were submitted to Arun District Council by the Town Clerk under their Delegated Authority (attached to these Minutes as **Appendix 1**).

The responses made to Planning Applications on list dated 21st April 2023 were **RATIFIED** by the Committee.

8. TO CONSIDER PLANNING APPLICATIONS ON LISTS DATED 28th APRIL, 5th AND 12th MAY 2023

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

8.2 The Committee noted that three representations had been received by the Town Council from members of the public, in relation to planning applications BR/83/23/PL and BR/84/23/L.

There were no representations received from neighbouring parishes in respect of any of the applications on the lists.

8.3 The Committee, having considered the applications, **RESOLVED** that its representations be forwarded to ADC (Appended to these Minutes as **Appendix 2**).

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

There were no Pavement Licence application representations to be ratified.

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

There were no Premises Licence applications to be considered.

11. CORRESPONDENCE

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

The Meeting closed at 5.23pm

PLANNING APPLICATIONS ADVERTISED DURING THE MAY 2023 ELECTION PERIOD
FOR WHICH MEMBERS OF THE COMMITTEE WERE CANVASSED FOR THEIR OPINIONS AND CORRESPONDING
COMMENTS SUBMITTED BY THE TOWN CLERK UNDER HER DELEGATED AUTHORITY
(AS ADVERTISED BY ARUN DISTRICT COUNCIL ON LIST DATED 21st APRIL 2023)

<p><u>BR/71/23/RES</u> 30 Devonshire Road Bognor Regis PO21 2SY</p>	<p>Approval of reserved matters following BR/283/19/OUT for layout, scale, appearance, access, and landscaping and other details</p>	<p>NO OBJECTION</p>
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APPENDIX 2
PLANNING APPLICATIONS CONSIDERED AT THE MEETING OF THE
PLANNING AND LICENSING COMMITTEE HELD ON 23rd MAY 2023
(AS ADVERTISED BY ARUN DISTRICT COUNCIL ON LISTS DATED 28th APRIL, 5th AND 12th MAY 2023)

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

<p>BR/86/23/A Oceans 13 High Street Bognor Regis PO21 1RJ</p>	<p>1 No externally illuminated fascia sign, 2 No door plaques, 1 No non illuminated bullnose amenity board, 2 No CCTV disclaimer signs and 1 No double sided externally illuminated hanging sign on front elevation</p>	<p>NO OBJECTION</p>
<p>BR/94/23/PL The Regis School Westloats Lane Bognor Regis PO21 5LH</p>	<p>Demolition of existing structure approved under BR/84/15/PL and erection of a new glazed extension. This application is in CIL Zone 4 (Zero Rated) as other development</p>	<p>NO OBJECTION</p>
<p>BR/83/23/PL Regis Centre Car Park Belmont Street Bognor Regis PO21 1LE</p>	<p>Demolition of former station, and construction of a 5-storey, 116-bedroom hotel with ancillary restaurant and all associated works. This application affects the setting of a Listed Building and is in CIL Zone 3 (Zero Rated) as other development</p>	<p>OBJECTION</p> <p>Firstly, Members of Bognor Regis Town Council would like to state that, in accordance with Policy 7 of the Bognor Regis Neighbourhood Development Plan (NDP) 2015-2030, they recognise the importance that the tourist industry has for the Bognor Regis economy and that the development of new and existing tourist facilities are a crucial part of improving Bognor Regis as a visitor destination.</p> <p><u>Heritage</u> When considering planning application BR/83/23/PL at the Planning and Licensing Committee Meeting held on 23rd May 2023, some Members expressed excitement to see development on the site but there was a sense that any such development should show an</p>

BR/83/23/PL (continued)
Regis Centre Car Park
Belmont Street
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awareness of the location and be sympathetic to it, particularly in regard to heritage.

It is felt that the proposed north elevation and, to a lesser degree, east and west elevations, are not designed in a way that are sympathetic to Bognor Regis Town Hall, which is a listed building. **Policy HER SP1 of the Arun Local Plan 2011-2031** states that designated heritage assets including listed buildings, structures and their settings, will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. From the plans submitted, it would appear that there are little, to no, architectural features on these elevations that dovetail with those featured on Bognor Regis Town Hall.

Neighbouring properties

The Town Council are aware of, and share, the concerns expressed by a number of residents living in Berkeley Court, in Clarence Road, which the proposed development would be adjacent to. As is evident from the representations submitted to Arun District Council, some of those concerns are in relation to material planning grounds such as the windows on the east elevation of the proposed development overlooking Berkeley Court, thereby causing loss of privacy, particularly to those residents with balconies, owing to the overbearing nature of the proposal. In this instance, Members would like proposals to feature obscure glass.

BR/83/23/PL (continued)
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A shadow appropriate assessment has been submitted with the application, which concludes that the application is likely to have a significant effect in the absence of avoidance and mitigation measures. However, there does not appear to have been a shadow-fall analysis that clearly shows the shadow impact that the proposed development may have on neighbouring properties. It is anticipated that, owing to the size and scale of the proposed development, a shadow will be cast over certain residents in Clarence Road, Belmont Street and The Esplanade, which may reduce their daylight and adversely affect their amenity to an unacceptable level. Consequently, the loss of daylight could result in the need for more electric lighting to be used, increasing energy costs for those affected. Additionally, loss of sunlight decreases passive solar heating thereby potentially further increasing energy costs of those affected by having to heat their homes in an alternative way.

The sunlight and daylight currently enjoyed by residents are valued elements in a good quality living environment and any threat to these could be contrary to **Policy QE SP1 of the Arun Local Plan**. Furthermore, **Arun Local Plan Policy D DM1** states that development should have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

BR/83/23/PL (continued)
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In the absence of a shadow-fall analysis, Members of Bognor Regis Town Council object to the proposals on the grounds of overshadowing.

Members noted that Sussex Police have expressed concern about the amenity of nearby residential occupiers in that they may be disturbed late into the night by guests utilising the proposed external terrace for outside dining and drinking, and similar concerns have been voiced in representations submitted by local residents.

Comment has also been made, by residents of Berkeley Court and Members of the Town Council's Planning and Licensing Committee, about noise and disturbance caused to residents should deliveries made to the proposed development, by Heavy/Large Goods Vehicles for example, be serviced via a lay-by in Clarence Road. A satisfactory explanation as to why these vehicles could not be directed to the rear of the building proposed (west elevation) is welcomed.

Parking

Occupiers of Berkeley Court have also given eyewitness accounts relating to the usage of The Regis Centre car park and have shared concerns about whether this public amenity can accommodate a 116-bedroom hotel when considering loss of existing parking spaces and the increased demand that visitor accommodation on this scale would inevitably attract.

BR/83/23/PL (continued)
Regis Centre Car Park
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Arun Local Plan Policy TOU DM1 states that proposals for development, including expansion, which are likely to attract visitors (such as leisure or cultural facilities) will be supported provided that they: - (b.) are accompanied by workable and realistic travel plans; (c.) address visitor management issues.

Policy 8b of the Bognor Regis NDP requires development proposals of sites marked up as key priority sites, of which the Regis Centre and Mountbatten Court site is one, and other major developments should demonstrate through a Transport Assessment and Travel Plan they do not impact on existing capacity of public highways to accommodate parking. This process should have regard for the seasonality of parking needs in a resort town such as Bognor Regis.

Policy T DM2 of the Arun Local Plan sets out that proposals which involve the loss of existing town centre car parks or town centre parking spaces, must demonstrate that the loss of parking provision is acceptable or provides sufficient parking spaces to meet anticipated demand, which Members do not believe this application to have met.

It has been suggested by the applicant, during consultation, that the data used to measure the demand for parking spaces in The Regis Centre car park has been generated from parking receipts from different times of the day.

BR/83/23/PL (continued)
Regis Centre Car Park
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If this exercise was carried out during the time that Place St Maur was being developed, or when a fair was on The Esplanade, then the data would not truly reflect usage of The Regis Centre car park, as sections of the car park would not have been available for parking as they were being used to store building materials or fairground operator's accommodation.

As stated above, assessment should have regard for the seasonality of parking needs and Members of Bognor Regis Town Council do not feel that the data reflects this and is, in fact, flawed. We would urge for investigations to be carried out to measure usage of The Regis Centre car park after 6pm, when parking is free, as the site is known to be used for overnight parking by residents in surrounding roads and by those coming into Bognor Regis to enjoy the night-time economy offering. Usage during peak times at the weekend, summertime, during local events, and late-night Christmas shopping, for instance, should also be factored into any Transport Assessment and Travel Plan.

Furthermore, usage of The Regis Centre car park should be measured during performances at The Alexandra Theatre. In its redevelopment of The Alexandra Theatre, Arun District Council themselves have recognised the community demand for this space and quote research carried out that suggests that the audience would be larger if the facilities were improved and updated.

BR/83/23/PL (continued)
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Its website also states "comedy and music nights sell out swiftly and the theatre cannot meet the demand for tickets. The pantomime is also extremely popular and there is a huge demand for tickets over the Christmas period." (<https://www.arun.gov.uk/levelling-up-fund-alexandra-theatre-html-version/>). The popularity of the theatre, which the redevelopment seeks to further increase, has a knock-on effect in relation to demand for parking spaces at The Regis Centre. These will only be exacerbated by the loss of parking spaces and additional demand from visitors staying at the proposed hotel. Further demand will also be placed upon The Regis Centre car park should The Esplanade be developed as planned in the WSCC/ADC Arun Growth Deal, as it is anticipated that some on-street parking spaces will be lost as part of the scheme. Caution is urged to ensure that future development in the area does not undermine everything and would ask that the parking issues identified be resolved.

Members unanimously agree that insufficient information has been provided to demonstrate that there is a sufficient capacity to accommodate the expected parking demand in existing streets without causing harm to the amenity of neighbouring properties by way of increased conflict/competition for existing spaces and the need for residents to park further away from their dwelling. It is therefore contrary to **Policy QE SP1 of the Arun Local Plan**.

BR/83/23/PL (continued)
Regis Centre Car Park
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Restaurant

Some Members believed, based on information that had been shared with them at the public exhibition, that the proposed restaurant would only be for the use of hotel residents. Bognor Regis Town Council would like clarification on this as, if it were the case, then this would be very concerning.

Comment was also made amongst Members that the Regis Brewers Fayre had been family-friendly, which is considered to be a unique selling point for the seaside resort of Bognor Regis, therefore, the proposed restaurant should reflect this offering.

Disappointment was expressed by a Member that the proposed restaurant had been located on the ground floor, thereby not benefiting from a sea view.

Summary

In closing, Members unanimously **AGREED** to **OBJECT** as they cannot support the proposals presented at this time, in relation to planning application BR/83/23/PL and consider them to be contrary to policy 8b of the Bognor Regis NDP, and policies D DM1, HER SP1, T DM2, T SP1, TOU DM1 and QE SP1 of the ALP.

Bognor Regis Town Council urge further dialogue to be carried out with residents of Berkeley Court, with genuine consideration given as to how the negative effect of development on this site can be mitigated for them.

<p><i>BR/83/23/PL (continued)</i> <i>Regis Centre Car Park</i> <i>Belmont Street</i> <i>Bognor Regis</i> <i>PO21 1LE</i></p>		<p>Owing to the significant importance of any development on the site, Bognor Regis Town Council respectfully request that the decision on this planning application be determined by Arun District Council's Planning Committee.</p>
<p>BR/84/23/L Regis Centre Car Park Belmont Street Bognor Regis, PO21 1LE</p>	<p>Listed building consent for demolition of former fire station and construction of a 5-storey,116-bedroom hotel with ancillary restaurant and all associated works</p>	<p>OBJECTION</p> <p>There is a degree of uncertainty about the status of the former fire station as it is not identified as a listed building on the National Heritage List for England.</p> <p>Nonetheless, at the Town Council's Planning and Licensing Committee Meeting held on 23rd May 2023, Members objected to planning application BR/84/23/L on the same grounds as those submitted to Arun District Council in response to planning application BR/83/23/PL.</p>
<p>BR/25/23/HH 38 Bassett Road Bognor Regis PO21 2JH</p>	<p>Roof extension to create 2 additional annex and alterations to fenestration/openings. Re-Advertised - substitute proposed floor plans and elevations</p>	<p>NO OBJECTION</p>
<p>BR/53/23/PL 127 Amberley Drive Bognor Regis PO21 5PH</p>	<p>Replacing of all the windows within the flat</p>	<p>NO OBJECTION</p>
<p>BR/91/23/T Allotments Amberley Drive Bognor Regis PO21 5PR</p>	<p>1 No Poplar (T1) crown reduction to 5m from ground level</p>	<p>NO OBJECTION subject to the approval of the ADC Arboriculturist. It is recommended, if approved, that no work should be carried out if any birds or bats are nesting.</p>

<p>BR/93/23/PL Rear of 42 Sudley Road Bognor Regis PO21 1ES</p>	<p>2 No. new semi-detached 3-storey houses with parking and new vehicle access. This application is in CIL Zone 4 and is CIL Liable as new dwellings. (Re-submission of BR/77/22/PL)</p>	<p>NO OBJECTION</p>
<p>BR/101/23/T 9 Pevensey Road Bognor Regis PO21 5NR</p>	<p>1 No. Oak tree (T1) removal of epicormic growth up to a height of 3.5m from ground level</p>	<p>OBJECTION Members expressed concern in relation to the amount proposed to be removed from the Oak tree and questioned the need to do so. It was agreed to defer to ADC's Tree Officer for advice.</p>