



Appeal Decision

Hearing Held on 20 February 2018

Site visit made on 20 February 2018

by L Gibbons BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 05 July 2018

Appeal Ref: APP/C3810/W/17/3178817

Regis Centre, Belmont Street, Bognor Regis, West Sussex PO21 1BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Thomas Elliott (Sir Richard Hotham Project Ltd) against the decision of Arun District Council.
 - The application Ref BR/156/16/PL, dated 3 February 2015, was refused by notice dated 1 February 2017.
 - The development proposed is the redevelopment of the Bognor Regis Centre to provide 6358 sqm of commercial space (including leisure facilities) for mixed development, 64 room hotel, 192 apartments with the provision of 30% Affordable housing units compliant with policy. Car parking, creation of a new board walk and conversion of Place St Maur des Fosse into a Plaza, soft and hard landscaping. Redevelopment of the Hothampton car park to provide a 1100 seat theatre, with a 48 bed hotel and conference facilities, the provision of 2 retail units facing onto the Queensway, relocation of children's play area and upgrading of the facility, plus hard and soft landscaping. Redevelopment of the Esplanade Theatre site to provide a 200 cover Destination Restaurant and relocation and upgrade of the existing skate park to adjacent to the Pier. Provision of 3 new kiosks along the Promenade to provide retail, toilets and showers. This application is a resubmission of BR/26/15/PL. This application affects the setting of a Listed Building and may affect the character and appearance of The Steyne Conservation Area.
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Decision

1. The appeal is allowed and planning permission is granted for the redevelopment of the Bognor Regis Centre to provide 6358 sqm of commercial space (including leisure facilities) for mixed development, 64 room hotel, 192 apartments with the provision of 30% Affordable housing units compliant with policy. Car parking, creation of a new board walk and conversion of Place St Maur des Fosse into a Plaza, soft and hard landscaping. Redevelopment of the Hothampton car park to provide a 1100 seat theatre, with a 48 bed hotel and conference facilities, the provision of 2 retail units facing onto the Queensway, relocation of children's play area and upgrading of the facility, plus hard and soft landscaping. Redevelopment of the Esplanade Theatre site to provide a 200 cover Destination Restaurant and relocation and upgrade of the existing skate park to adjacent to the Pier. Provision of 3 new kiosks along the Promenade to provide retail, toilets and showers. This application is a resubmission of BR/26/15/PL. This application affects the setting of a Listed Building and may affect the character and appearance of The Steyne Conservation Area at Regis Centre, Belmont Street, Bognor Regis, West Sussex PO21 1BL in accordance with the terms of the application, Ref BR/156/16/PL,

dated 3 February 2015, subject to the conditions set out in the schedule at the end of this decision.

Application for costs

2. An application for costs was made by Mr Thomas Elliott (Sir Richard Hotham Project Ltd) against Arun District Council. At the Hearing an application for costs was made by Arun District Council against Mr Thomas Elliott (Sir Richard Hotham Project Ltd). These applications are the subject of separate Decisions.

Procedural Matters

3. For the sake of clarity I have used the description of development as set out in the Statement of Common Ground.
4. The Council refer to the emerging Arun Local Plan 2011-2031. The examination has taken place and consultation on Main Modifications to the plan (MM Local Plan) took place in January and February 2018. Given the stage that the Plan has reached I give it considerable weight.
5. As part of the appeal the appellant submitted amended drawings for the proposed development. The amendments include changes to the design of the Regis Centre with a central dome and additional architectural details (1694/08g). 1694/02k and 1694/SK03i involve changes to the ground floor layout. The changes in the design discussions with the appellant in order to provide additional detailing for the Regis Centre site. The ground floor plan changes are minor in nature when taken into consideration against the whole scheme. The plans were discussed at the hearing. For these reasons, I am satisfied that I can take the plans into account without prejudicing the interests of the Council and other parties. I have therefore determined the appeal on the basis of the amended drawings.

Background and Main Issues

6. The planning application is for development on a number of sites within Bognor Regis. The redevelopment of the Regis Centre includes the demolition of the existing building and provision of commercial and leisure space, a hotel, residential apartments including affordable housing, car parking, and plaza space and landscaping. The proposals for the existing Hothamton Car Park include a new theatre with a hotel and conference facilities, retail units and a multi-storey car park. A new restaurant is proposed for the site of the former Esplanade theatre and this involves moving the existing skatepark to a location adjacent to the pier. Three new seafront kiosks are also proposed. The scheme is presented as a single package of proposals.
7. The main issues are:
 - i) Whether the scheme demonstrates sufficient design excellence having regard to the local character and qualities of the area and the aspirations for the regeneration of the seafront and town as a whole.
 - ii) Whether the scheme would provide acceptable levels of parking to meet the needs of the development and the wider role of the town as a tourist destination.
 - iii) Whether the particular contributions sought in respect of local infrastructure are necessary to make the development acceptable,

directly related to the development and fairly and reasonably related in scale and kind to the development.

Reasons

Design Excellence

8. Having regard to the character and qualities of the area, Policy 8a of the NDP 2015 indicates that Key Priority Sites shall demonstrate 'excellence in design, especially design that will help establish a sense of place and create attractive and comfortable places to live work and visit'. Factors such as the use of good quality materials, planting typical of the south coast, safe access for users, high quality spaces and light are referred to.

Regis Centre

9. The buildings along the Esplanade comprise a mix of styles, although many of them have a modern appearance. Some of the buildings in the wider area are very large and prominent including significant structures at the Butlins centre to the east. Buildings to the north on Belmont Street are generally very modest in height and comprise a mix of residential and commercial uses. The Grade II listed building of the Town Hall would be retained to the north east of the site.
10. The Regis Centre site is in a prominent position along the seafront, and is in a key location in relation to the town centre. The site is currently occupied by the Alexandra Theatre and a public house, with the rest of the site used for open space and car parking. The view of the existing building along the Esplanade is of a modern conservatory and the varied sloping roofs of the Theatre. There is currently a lack of an active frontage and car parking at the site dominates some of the views. Landscaped bunds along the southern boundary of the site reduce visibility towards the seafront although there is a generally open quality to the site. Easy crossing points to the seafront are limited as the seafront is built higher up than the road.
11. The proposal is for a single building which would have residential use on upper floors, with a hotel, leisure facilities, as well as shops, community and studio space. During the course of the planning application the Council sought design advice from Design South East (DSE). This was undertaken without the input of the appellant. I accept that DSE had some criticisms of the scheme and its individual components.
12. The proposed building would be six storeys in height, and would occupy a significant proportion of the frontage of the site along the Esplanade. The Regency design and materials of the building would be similar to that of the Esplanade Grande, a recent residential development along the seafront. The Esplanade Grande building was acknowledged by the Council to be of a high standard in design terms. The façade of the Regis Centre building would be broken up with detailing such as balconies and cornices and this would add interest to the features of the seafront area.
13. The building would incorporate a number of elements from local seaside vernacular. The block pattern of the building would also reflect that generally found in the area, and would be acceptable in that context. A very large area of open space would be provided within the northern part of the site. There will be space used as a Plaza, and this would ensure a significant measure of

openness. The space would be big enough that it would not feel too dark or enclosed even taking account of its northerly position and the height of the Regis Centre building.

14. Access from to and from the Plaza would be possible in the form of an archway through the building, providing additional interest and permeability. It would maintain the links between the town centre and the seafront. A raised boardwalk would run along the front of the building. The boardwalk accesses would be close to the existing formal crossing points, and this would maintain existing levels of access to the seafront. I am satisfied that this would be acceptable in the context of the difficulties of achieving direct and safe access to the seafront.
15. The building would be significant in terms of mass in comparison to the existing buildings and structures on the site. However, this would not be to such an extent that it would look out of place along the seafront. Mountbatten Court to the west of the site is a large building, other buildings along the seafront are also bulky in height and mass, and the proposal would be acceptable in that context. The roofline would be varied, and to the east and west of the building it would be separated from other buildings so that there would not be the appearance of a single run of buildings along The Esplanade.
16. The mass of the building would not dominate the Town Hall as the cupola of that building would remain a significant feature on the skyline when viewed from accessible locations to the north, east and west. The plaza would provide a sense of space between the proposed development and the Town Hall. The scheme would respect the setting of the listed building.
17. In terms of uses within the Regis Centre there was no detailed evidence that the building would not be successful in terms of layout and space allocation. The uses would be complementary to the area, and compatible with each other. They would add interest and provide an interactive façade when seen from the plaza. The internal layout of the proposed Regis Centre building would be satisfactory and the Council had not raised concerns in relation to the standard of accommodation for future occupiers. Balconies would provide amenity space, and the building is located very close to the seafront with the plaza also providing shared amenity space. Matters relating to refuse storage and plant would be dealt with by means of suggested conditions.
18. The character and appearance of the Regis Centre element of the scheme, including the building would respect and enhance local distinctiveness. It would reflect the historic development of the site which was formerly occupied by a theatre and terrace development. It would significantly reinforce the character of the area overall, and enhance the quality of the seafront area.

Hothamton Car Park

19. The site is currently in use as a surface car park serving the town. There is a modern health centre to the south west of the site. To the east is a multi-storey car park, flats and a 15 storey tower block. To the south is a sunken garden and open space leading down towards the seafront. There are two storey houses to the north of the site on Queensway. The area has a character of mixed uses and varied designs. The Steyne Conservation Area is very close to this site which has a mix of older style residential properties, and includes some commercial uses.

20. The proposal is for a theatre and hotel with a multi-storey car park on the west part of the site. The main building would occupy the part of the site closest to the sunken garden. The elevation facing south would have a very grand appearance with Georgian detailing and two prominent towers. Features such as the curved parapet on the front elevation, two tall towers and its detailed design would be very attractive. The towers would be evocative of the former pavilion in Bognor. The towers would be acceptable in the context of the adjacent tower block, and they would be recognisable features from the seafront.
21. The eastern elevation would be one façade of the building which would be less active than the others. However, there would still be windows and some level of detailing. Whilst this would be slightly less remarkable than other elevations it would still have some interest, and it would not cause harm to the character and appearance of the area. The appearance of the car park would be softened by a living wall. I note the DSE critique of the internal layout and compatibility of uses but there was no detailed evidence presented that would support the contention that the uses of the building would not work together. The theatre and hotel would generally be separated from each other. Even the less active facades would complement the traditionally styled buildings found in the nearby Conservation Area.
22. Due to the height of the towers of the building these would be very visible from the Conservation Area. However, when set against the context of the very tall Fitzfleet House still being dominant in the street scene, this impact would be mitigated somewhat. Therefore, the proposal would preserve the character and appearance of the Steyne Conservation Area.
23. Two retail units along the Queensway façade would provide interest to that part of the development. A shared surface between Queensway and the front of the building would encourage pedestrian flows to the south and towards the town centre in a safe manner. The footprint of the main building would follow the curve of Queensway. As with the Regis site, the block pattern would be in context with development in the area. The very central location of the theatre would add significantly to the vibrancy of the area, and would not have an adverse effect on the retail units close by. Overall, this part of the scheme would provide a landmark building which would respect and enhance the local distinctiveness of the area.

The Restaurant

24. The site for the proposed restaurant is a landscaped garden area adjacent to the promenade which includes a skate park. There was formerly a bandstand on the site. There is a large block of flats to the west and a two storey house. Nearby is the Grade II listed building of the Royal Norfolk Hotel which has a large landscaped area to the south with the hotel facing south east.
25. The proposal is for a domed restaurant located on the west part of the site with landscaped gardens to the east. The location of the restaurant would be sufficiently apart from the Hotel that it would not intrude on the hotel within its setting of substantial grounds. I conclude it would preserve the setting of the listed building. The traditional design of the restaurant would be complementary to the hotel.

26. The size of the dome would be fairly large. However, even at the highest point it would be much lower than the adjacent block of flats which is over four storeys in height. From the east it would be seen in the context of the hotel which is a wide fronted and substantial building. The restaurant would have a considerable amount of glazing, and it would appear as a relatively light structure.
27. The restaurant would add interest to views from the east particularly walking along the seafront. The dome design would reflect the character and appearance of the rest of the scheme. The new use would increase footfall in the area and would be a complementary use to the hotel and facilities such as the nearby pier.

Seafront Kiosks and Skate Park

28. The scheme would involve the removal of the skate park on the proposed restaurant site to a location close to the pier along the seafront. The skate park is not very large. The proposed replacement site is a triangular piece of land which is set down slightly from the main promenade. The side elevation of the pier is highly prominent in the street scene with the majority of the bins and plant machinery located on this side. The skate park would be away from residential properties for the most part as it is at the moment. Given the size of the structures, there was no evidence to suggest that its use here would be completely incompatible with other uses of the seafront including the seafront train. I consider the proposed location to be acceptable.
29. Three seafront kiosks are proposed. The materials and detailed design would be of a Regency style and would be recognisable as part of the seafront's characteristics and qualities. I acknowledge that the proposed locations would not directly align with the Bognor Regis Delivery Plan. Nevertheless, they would significantly improve the character and quality of the seafront which contains a number of much plainer and more modern kiosks that are slightly at odds with the majority of the older style character of the seafront.

Conclusions on design excellence

30. When considered as a whole the proposed scheme would represent design excellence. The scheme would incorporate landscaping, and the use of materials to match and complement the local context. The appearance of the buildings and their uses would be of high quality. The scheme would be in line with the objectives set out in the supporting text of Policy 8a of the NDP. The approach would relate strongly to Bognor Regis's identity as the first purpose built resort. The scale of the buildings and general simple block form would be sympathetic to smaller buildings close to the sites but also respectful of those with more significant scale such as the tower block, striking the right balance between these factors. The design of the buildings take inspiration from Sir Richard Hotham noted for his involvement in the development of Bognor Regis as a tourist destination, and respects the historic and built environment of the town. The scheme would respond to and integrate with the local surroundings.
31. For the reasons given above I conclude that the proposed scheme would represent design excellence. It would not be in conflict with Policy 8a of the NP or Policy GEN7 of the LP, which amongst other things seeks schemes displaying high quality design and layout. It would not be contrary to the provisions of

the Framework in respect of the need for high quality design or to draft Policy D SP1 of the MM Local Plan.

Car parking

32. Policy 8b of the Bognor Regis Neighbourhood Plan (NP) 2015 sets out that Key Priority Sites should demonstrate through a Transport Assessment and Travel Plan that they do not impact on existing capacity of public highways to accommodate parking, having regard for the seasonality of parking needs in a resort town. Amongst other things Policy Area 7 of the LP sets out that planning permission will not be granted for development which involves the loss of existing public car parking facilities or spaces. Exceptions are where suitable alternative spaces are provided or where it would meet urban renewal requirements.
33. In general, the proposals were based on an assessment of figures recorded during peak season and peak daytime hours. This would ensure that the town's role as a wider tourist destination was taken into account.
34. Concerns were raised about the residential element of the scheme at the Regis Centre in relation to the anticipated demand based on the Highways Authority's parking calculator. The shortfall in spaces at the Regis Centre would be balanced against any peak residential demand and the demand for visitor spaces not coinciding. The site is in a highly accessible town centre location with sufficient spare parking capacity in controlled zone parking spaces within the immediate area even during the tourist season. Unallocated spaces and overspill parking would provide additional capacity and flexibility.
35. Overall, the scheme would provide additional publically available parking spaces, which would represent nearly 20% increase in provision. A significant proportion of the spaces at the Hothampton site would be for public use. At the Hearing, concerns were raised about car park management and how availability of public spaces would be guaranteed. This could be dealt with by means of a condition relating to the submission and implementation of a Car Park Management Plan.
36. The proposal would also incorporate Travel Plans which would include measures to help reduce car ownership. In addition, the Highways Authority does not raise any objections to the scheme. The provision of parking would be in accordance with the County Council's adopted car parking standards.
37. I conclude that the scheme would provide acceptable levels of parking to meet the needs of the developments and the wider role of the town as a tourist destination. It would not be in conflict with Policy 8b of the NP and Policy Area 7 of the adopted Local Plan.

Infrastructure

38. In terms of the infrastructure contributions, these would be towards primary, secondary and sixth form education, libraries, fire service, and strategic access management measures at the Pagham Harbour Special Protection Area (SPA). The County Council has justified the amounts for the financial contributions including how these have been calculated, and have indicated that schemes relating to infrastructure would involve a maximum of five pooled contributions. The Council's officer report for the planning application refers to the contributions as being valid for three months. However, the information

provided by the County Council at the appeal stage does not refer to any specific timeframe for the validity of the amounts required.

39. I consider the contributions would be in accordance with the Community Infrastructure Levy Regulations 2010. The requirements would be in accordance with Policy GEN8 of the adopted Arun District Local Plan (LP) 2003, draft Policy INF SP1 of the MM Local Plan. The contribution towards the SPA would be necessary to mitigate the impact of increased visitors and potential disturbance to birds and habitats. I accept that the lack of contributions was not a reason for refusal. Nevertheless, I consider that the contributions would be necessary, related directly to the development and fairly related in scale and kind.
40. There is no agreement under section 106 of the Town and Country Planning Act 1990 (as amended). The Council as the landowner of the sites indicated that it would not sign an agreement relating to affordable housing, local infrastructure and management schemes related to the development. The appellant has not submitted a UU referring to the lack of a s106 agreement not being a reason for refusal. During the hearing, the appellant proposed an alternative in the form of conditions. I deal with a number of these later in my decision. However, the first suggested condition refers to limiting the occupation of the flats on the Regis Centre site until a scheme or section 106 obligation has been entered into by the landowner, which would include the above financial contributions.
41. The Planning Practice Guidance (the Guidance) sets out that 'No payment of money or other consideration can be positively required when granting planning permission. However, where the 6 tests will be met, it may be possible to use a negatively worded condition to prohibit development authorised by the planning permission until a specified action has been taken (for example, the entering into of a planning obligation requiring the payment of a financial contribution towards the provision of supporting infrastructure)'. The Guidance also indicates that negatively worded planning conditions may be appropriate in the case of 'more complex and strategically important development where there is clear evidence that the development may otherwise be at risk'.
42. To my mind, the proposal is complex given the range of the scheme including market and affordable housing and new leisure, retail, tourism and cultural facilities, and is of sufficient size and importance to be considered strategic to the Town and importantly the District. The Regis Centre and Hothampton sites are identified as being key sites for redevelopment within a number of documents including the MM Local Plan. The development is at risk if a suitable condition relating to a planning obligation is not attached.
43. The six tests for conditions set out in the National Planning Policy Framework (the Framework) are whether they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. In terms of whether the six tests would be met, the proposed condition would be necessary, relevant to planning and the development, it would be enforceable, is precise and relates to the sums referred to by the County Council.
44. I have considered whether there is any prospect of the condition being discharged. The original decision by the Council to not enter into a section 106

agreement was taken in late 2016 when the scheme was in the planning application stage. A timetable for the signing of a s106 agreement had been included in the provisions of a Planning Performance Agreement and also included wording relating to land and property ownership not fettering the application in any way.

45. The regeneration of major town centre sites has been a consideration for the Council for a significant number of years. This was reflected in production of a Town Centre Master Plan (2003) and Town Centre Master Plan Planning Policy Guidance (2004). More recently there was a now surrendered Development Agreement with St Modwen for the development of sites within the town. The Council have more recently commissioned further feasibility work in order to consider options for the key sites, which ultimately led to the Council deciding not to sign the s106 agreement.
46. From the discussion at the Hearing, there appears to be no definite alternative schemes, nor was it confirmed when the Council is likely to determine what the best course of action is. The Council does not support the approach of a condition relating to financial contributions as an option. However, the application was not refused on the basis of a lack of contributions. There is no evidence to suggest that as the landowner the Council would never enter into a planning obligation, and the Council's position may change. To my mind the factors present in this case do not point to there being no prospect of the Council entering into a s106 agreement. There are no other planning reasons why the condition should not be attached. This would mean that the condition would meet the six tests set out in the Framework and that the infrastructure contributions requirements would be achieved.

Other considerations

47. Paragraph 47 of the Framework indicates that in order to boost significantly the supply of housing, local planning authorities should ensure that they meet their full and objectively assessed housing needs for market and affordable housing. The Council confirm that it is unable to demonstrate a five year supply of housing land. The proposal would provide 192 homes which would make a contribution to the supply of homes. Significantly, the scheme would also provide 30% affordable homes in accordance with Policy DEV17 of the LP and draft Policy H SP2 of the MM Local Plan.
48. The proposal for the Regis Centre site would be broadly in line with the requirements of Policy 8f of the NP in relation to the mix of uses. Although the Policy refers to support for plans that retain, replace or enlarge the existing theatre, it seems to me that there is no formal requirement for the theatre use to be retained on that site. Its replacement fairly close within the town centre would be acceptable. Residential development on the Regis Centre site would be acceptable in relation to the NP and Policy SITE2 of the LP.
49. Policy 8g of NP supports retail and B1 office led development with other employment uses on the Hothampton site. The uses on the site would conflict with the Policy. However, as acknowledged by the Council the facilities proposed on the site would be significant in terms of the cultural aspects. A small amount of retail development is proposed and the theatre and hotel would provide employment in their own right. The use of the site for a theatre would provide a replacement for the existing theatre. These considerations are sufficient to outweigh the conflict with the NP Policy.

50. Although the scheme would not meet the exact provisions of the Town Centre Master Plan in terms of 'family entertainment' and leisure uses, overall a wide range of new leisure and cultural facilities would be provided, and there would be significant positive benefits in terms of tourism and regeneration. Wider regeneration benefits would be in accordance with SITE2 of the LP. There would be accordance with draft Policy EMP SP2 of the MM Local Plan in relation to the Bognor Regis Economic Growth Area, and draft Policy TOU DM1 for tourism related development.
51. Arun Arts Company Ltd is currently located within the Alexandra Theatre. They have an important role in the provision of local theatre and community programmes. The proposal would incorporate some studio and community facility space within the site at the Regis Centre, the new theatre is also intended to be used by Arun Arts. The theatre building would be constructed first as part of a phasing condition. During the discussion it was proposed to ensure the provision of temporary space for Arun Arts whilst the community facilities at the Regis Centre were completed. This could be secured by means of an appropriate condition and I consider this would be necessary to ensure vital continuity for the group.
52. I acknowledge the concerns of Arun Arts and the Theatre Trust about the implications for provision of local theatre. There is little detailed evidence to demonstrate that Arun Arts could not operate successfully from the main theatre venue having regard to the adaptable layout and potential programming, and also the provision of space in the Regis Centre. From the evidence provided I am also satisfied that the theatre as a whole would be a viable proposition.
53. The car park and theatre building on the Hothampton site would be located opposite the houses on the side of Queensway. However, the car park which would be closest would still be a little distance away, and at 3 to 4 storeys high this would not be overly dominant feature in the street scene. Given the separation distance between the car park and front elevations with balconies and gardens, and that the residences are south facing I consider that the rooms and gardens would remain open and bright. The residents would lose an existing view across the surface car park towards open space and the seafront. However, overall the neighbouring occupiers would continue to enjoy adequate levels of amenity.

Conditions

54. I have considered the conditions in the light of the tests set out in paragraph 206 of the Framework and the Planning Practice Guidance. Where necessary, I have amended the suggested conditions in order to comply with the tests. I have imposed a condition specifying the relevant drawings as this provides certainty. The Council suggested conditions which would be either before commencement of development or before the occupation of the development. I have amended the order of conditions to reflect this, and conditions relating to each site are considered together.
55. It is necessary to attach a condition relating to the phasing of the development to ensure that theatre is constructed first to make provision for the loss of the Alexandra Theatre at the Regis Centre site (3).

56. I have not attached two suggested conditions relating to the hours for delivery and despatch hours of commercial vehicles and the operation of plant and machinery. The arrangements for delivery hours would be incorporated into the requirement for servicing management plans (38, 49 and 56). Noise mitigation measures in relation to plant and machinery has been included within condition (12), and conditions for noise ratings (30) and insulation measures are needed (20). In addition it is necessary for a scheme in relation to the provision of extraction equipment to be submitted and implemented (19) and arrangements for its maintenance (28). It is also necessary to attach a condition to limit the effect of sound reproduction or amplification equipment (29). Given the range and types of uses in proximity to residential areas, all of these conditions would be necessary in the interests of protecting the living conditions of nearby residents.
57. In the interests of highway safety and to protect the living conditions of nearby occupiers conditions requiring a Construction Management Plan (32, 39, 55 and 57) for all the sites is necessary. Other conditions relating to construction noise and hours of operation are also necessary in the interest of the nearby occupiers (22 and 23).
58. In the interests of highway safety a number of conditions are necessary. This includes schemes for highway works (13), the provision of car parks at the Hothamton site (36) and the Regis Centre site (47), and management of the car parks (14). Conditions relating to access and egress for the Hothamton site in respect of Queensway including visibility splays (33) and Steyne Street (34), and the Regis Centre site in respect of Clarence Road (45) and Belmont Street including visibility splays (48).
59. In the interests of highway safety and sustainability conditions for cycle parking and Travel Plans for the Hothamton site (35 and 37) and Regis Centre site (46 and 50).
60. In the interests of protecting the character and appearance of the area conditions are needed in respect of providing details of materials and finishes for the Regis Centre and Hothamton Car Park building (4). Protection of trees during construction is necessary (5), this condition makes provision for locating services should this be needed. In the interests of the historic environment a condition has been attached to make provision for a scheme of written investigation of archaeological works (11). Details of hard and soft landscaping (15) and a landscape management plan (21) would also be necessary.
61. In the interests of sustainability conditions are needed for a drainage strategy addressing foul and surface water disposal (6), diversion of public sewers (7), and in relation to the location of the rising main and foul sewer pipe (8). Conditions relating to the provision of SuDS on the sites (9) and maintenance and management of these systems (9, 10, 17 and 18) are needed to ensure there is no surface water flooding arising from the scheme. In order to mitigate flood risk it is necessary to attach a condition relating to the implementation of measures set out in the accompanying Flood Risk Assessment (27). In the event that unexpected sources of contamination are found on the sites a condition is needed for a remediation strategy (26). A condition is needed in relation to the storage of materials (31) which would be both in the interests of adjoining occupiers and sustainability.

62. To protect biodiversity within the town conditions relating to the provision of bird and bat boxes (16), in relation to clearance of vegetation during the bird breeding season (25) and the provision of an external lighting scheme which would mitigate the impact on bats (24). This condition would also be necessary in the interests of nearby occupiers.
63. The phasing condition and construction management plans made no reference to skate park. I have added the skate park to conditions (3) and (57) to ensure that this element is incorporated.
64. A number of conditions specifically relating to the Regis Centre site were suggested. In the interests of the character and appearance of the area it is necessary to restrict the provision of aerials. I have attached this in the form of a combined condition relating to aerials (52). The submission of further details relating to the community facilities within the ground floor of the proposed building including its retention in perpetuity (42) and the provision of temporary accommodation for Arun Arts Company Ltd (44) are necessary to ensure the continuity of local arts and theatre. To ensure that the development provides the proposed uses, it is necessary to attach a condition relating to the ground floor layout (51). A condition relating to broadband is needed in the interests of sustainability and to ensure residents have access to modern technology (40). The scheme makes provision for affordable housing, a suggested condition was suggested by the parties and I agree this would be necessary to secure this element of the scheme in the absence of a planning obligation (41). In the interests of the living conditions of future occupiers it is necessary to attach a condition relating to the layout of open space and play space (53). The provision of off-site pedestrian improvements and seafront lighting are needed in respect of the Regis Centre site proximity to the seafront (43). The condition relating to infrastructure contributions referred to earlier in my decision as also attached (54).
65. For the reasons given above, it is essential that the requirements of Conditions (4-14, 32, 39-44, 55 and 57) are agreed prior to the development commencing to ensure an acceptable form of development.
66. The Council have suggested a condition relating to a verification report and arrangements for long term monitoring and management in respect of a number of other conditions. In relation to SuDS this would not be needed as conditions addressing this make reference to long term maintenance and management, and retention in perpetuity. Trees, archaeology and contamination conditions relate to the construction phases and as such it would not be appropriate to require long term monitoring. The landscaping management condition refers to maintenance and management. In terms of conditions relating to access, foul water and flood mitigation these need to be constructed in accordance with approved plans, and the condition is not specific in terms of what long term maintenance and monitoring would be required. I have therefore not imposed this for any of the matters referred to in the Council's suggested condition.

Conclusion and balance

67. Paragraph 14 of the Framework sets out how the presumption in favour of sustainable development should be applied and indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against

the Framework as a whole. There is not a five year supply of housing land and contributions to the supply of housing and affordable housing in particular are very significant positives of the scheme. As a whole, the scheme would represent design excellence and acceptable levels of parking would be provided to meet the needs of the development and the wider role of the town as a tourist destination. Infrastructure contributions would be required in order to make the scheme acceptable. In this particular case securing provision of these through a condition is justified.

68. The Council does not dispute that the proposal would be completely privately funded without the need for public investment. In addition, it would generate approximately £80 million in inward investment with new jobs in the construction phases and importantly on a permanent basis. Considered as a package the wider regeneration and other benefits to the town and area would be very significant. For the above reasons and having regard to all other matters raised I conclude that subject to the conditions set out in the attached schedule the appeal should be allowed.

L Gibbons

INSPECTOR

APPEARANCES

FOR THE APPELLANT

| | |
|----------------------------|-------------------------|
| T Elliott | Appellant |
| J Clay | Barrister |
| S Leeson (BSc. MPhil (TP)) | Neame and Sutton |
| N Holland | Neil Holland Associates |
| C Pullan | Lichfields |
| P Russell | RGP |
| P Lawrenson | MH Architects |
| P Rumke | |

FOR THE LOCAL PLANNING AUTHORITY

| | |
|-----------|-----------------------|
| M Eastham | Arun District Council |
| N Slade | Arun District Council |

INTERESTED PERSONS

| | |
|------------|---------------------------------|
| C Appleby | Theatres Trust |
| J Charles | Cllr, Arun District Council |
| T Clarke | Theatres Trust |
| S Daniels | Cllr, Bognor Regis Town Council |
| J Cosgrove | Cllr, Arun District Council |
| R Hagger | |
| P Hitchins | Cllr, Arun District Council |
| S Jones | |
| H Latus | Arun Arts Company Ltd |
| D Myers | Bognor Regeneration Board |

DOCUMENTS AND PLANS SUBMITTED AT THE HEARING

- 1 Agreed Schedule of Planning Conditions
- 2 Application for Costs by Arun District Council
- 3 Appellant's Reply to Council's Application for Costs
- 4 Copy of Slide Presentation by Appellant
- 5 Statement of Common Ground regarding Highway Matters

- 6 Appendices to Statement of Common Ground regarding Highway Matters including plans for car parking provision
- 7 Arun District Local Plan Consultation on Main Modifications January 2018
- 8 Economic Benefits of the proposed Bognor Regis Regeneration Project by Lichfields
- 9 Bognor Regis Neighbourhood Development Plan August 2015
- 10 Sir Richard Hotham Project Theatre Viability January 2018
- 11 Section 106 Agreement information supplied by the Council
- 12 Additional conditions supplied by the Appellant

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule A.
- 3) The phasing of the development shall be as follows:

Phase 1 – the construction of the Theatre and car park at the Hothamton site;

Phase 2 – demolition of the Bognor Regis Centre and the construction of the proposed development for that site;

Phase 3 – the construction of the seafront kiosks and skate park

Phase 4 – the construction of the restaurant at the Esplanade Theatre site

The demolition of the Alexandra Theatre shall only take place after the replacement theatre is completed and suitable for occupation/use.
- 4) Notwithstanding the approved drawings, no development shall be carried out until a schedule of materials and finishes to be used for external walls and roofs of the Regis Centre and Hothamton Car Park buildings hereby approved has been submitted to and approved in writing by the Local Planning Authority. A statement of detail for the Regis Centre and Hothamton Car Park buildings shall accompany the schedule setting out details of the proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The schedule of materials and finishes and statement of details so approved shall be used in the construction of the buildings.
- 5) No development including site access, demolition or associated construction activities shall take place unless and until all the existing trees/bushes/hedges to retained on the sites have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing with the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning Authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the RPA. However, if there is no alternative but to locate the services then its encroachment in to the RPA must be kept to a minimum and where the roots should be exposed using compressed air technology, such as air spade to reduce the damage caused by roots. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and

stability of the affected tree. Following the assessment a scheme of mitigation should be submitted to and approved in writing by the Local Planning Authority. The mitigation shall be carried out in accordance with the approved scheme.

- 6) Development shall not commence on any of the sites until a drainage strategy detailing the proposed means of foul and surface water disposal and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and timetable.
- 7) Prior to the commencement of development full details of the proposed measures to be undertaken to divert the existing public sewers shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with Southern Water). The buildings shall not be occupied until the measures in respect of diverting the sewers have been completed in accordance with the approved details.
- 8) No development shall take place until the exact location of the rising main and foul sewer pipe has been identified. A plan identifying the locations of Southern Water infrastructure that identifies the location of the pipe run and a 5m easement from the centre line of the pipe must be submitted to the Local Planning Authority in writing for their written approval that work can commence. Any additional pipework or Southern Water infrastructure found during construction should be investigated to ascertain its condition, the properties served, and potential means of access before further works commence on site, the details must be submitted to the Local Planning Authority in writing for their written approval that further work can commence.
- 9) Prior to the commencement of development details of the proposed surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SuDS Manual produced by CIRIA.

Winter monitoring to establish highest annual ground water levels and Percolation testing to BRE 365 or similar approved, will be required to support the design of the Infiltration drainage.

- 10) Prior to the commencement of development full details of the maintenance and management of the SuDS system set out in a site-specific maintenance and management manual shall be submitted to and approved in writing by the Local Planning Authority. The manual is to include a) details of financial management of the sites including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.
- 11) No development shall take place until a programme of archaeological works has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

- 12) Before the development hereby permitted commences a scheme which specifies the provision for the control of noise emanating from the uses within the sites, including the operation of plant and machinery shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
- 13) Prior to the commencement of development a scheme for the provision of Highway works as set out in plans 2014/2408/101 Rev J and 2014/2408/301 Rev C shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
- 14) Prior to the commencement of the development hereby permitted a Management Plan for the operation, management and use of the car parks shall be submitted to and approved in writing by the Local Planning Authority. The car parks shall be operated and managed at all times in accordance with approved Management Plan.
- 15) No development above the damp proof course (DPC) level shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a landscaping schedule including full details of hard and soft landscaping (soft landscaping shall include details of species choice, quantities and size at time of planting along with detailed maintenance proposals for their establishment) and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of development. The materials for hard landscaping and species choice for soft landscaping shall be sympathetic to the setting and be in character with the location and fit with the design that has recently been employed for public realm enhancement works and landscaping in Bognor Regis town centre.

The development shall be carried out in accordance with the approved hard landscaping details. The approved details of the soft landscaping shall be carried out in the first planting season, following the occupation of the buildings or the completion of development on each site, whichever is the sooner, any trees or plant which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

- 16) Prior to the occupation of any buildings a plan setting out the details of the type and location of bird boxes and bat roosting structures to be erected on the site should be submitted to and approved in writing by the Local Planning Authority. The bird boxes and bat roosting structures should be erected on site in accordance with the plan within 3 months following occupation of any building.
- 17) Immediately following implementation of the approved SuDS scheme and prior to the occupation of any part of the development as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms the scheme was built in accordance with the approved drawing/s and is fit for purpose shall be submitted to the Local Planning Authority. There shall be no deviation

from the approved scheme. The scheme shall thereafter be maintained in perpetuity.

- 18) Upon completing construction of the SuDS system but prior to occupation of the development, the owner or management company shall either provide the Local Planning Authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.

No further changes should be made to the approved SuDS Maintenance and Management Plan including the management company responsible for the financial arrangements between the owners of the dwellings and management company. The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the Manual to ensure that the system is maintained in perpetuity.

- 19) For the restaurant and bar uses:

The uses hereby permitted shall not commence until a scheme detailing the equipment necessary to discharge odours and fumes from the cooking processes and its maintenance has been submitted to and approved in writing by the Local Planning Authority. Prior to use the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority in accordance with the approved scheme.

- 20) Before the uses commence the buildings shall be insulated in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed and maintained in accordance with the approved scheme.
- 21) Prior to the occupation of the development hereby approved a landscape management plan including long term design objectives, management responsibilities, and maintenance schedules for each site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping management shall be carried out in accordance with the approved plan.
- 22) Construction work at all of the sites shall not take place until a scheme for protecting the nearest noise sensitive dwellings from noise during the construction process has been submitted to and approved in writing by the Local Planning Authority. Construction shall take place in accordance with the approved scheme.
- 23) During construction of all parts of the development hereby approved no machinery, vehicles or plant shall be operated on the site and no construction deliveries shall take place, except between the hours of:
08:00 and 18:00 on Mondays to Fridays inclusive
08:00 and 13:00 on Saturdays
Not at any time on Sundays or Public Holidays
- 24) No external lighting shall be installed on the sites until a full external lighting scheme including the type of appliance, the height and position of fitting, illumination levels and light spillage which comply with Zone E if

the Institute of Lighting Practitioners Guidance Note for the Reduction of Obtrusive Light GN01:2011 have been submitted to and approved in writing by the Local Planning Authority. The scheme should also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting shall be installed and maintained in accordance with the approved scheme.

- 25) Any works to trees or vegetation clearance on the site should only be undertaken outside the bird breeding season which takes place between 1st March and 1st October. If works on trees are required within the breeding season a CIEEM ecologist will need to check the site before and within 24 hours of any works taking place. If any active nests are found activities should cease and an appropriate buffer zone should be established. The buffer zone should be left intact until it has been confirmed by an ecologist that the young have fledged and the nest is no longer in use.
- 26) If during development contamination not previously identified is found to be present at the sites then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the strategy.
- 27) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy, Water Environment Ltd April 2015 (FRA), and the following mitigation measures detailed within the FRA:
 - i) Finished floor levels are set no lower than 5.57m above Ordnance Datum (AOD) for the Skate Park and Promenade and no lower than 5.58m above Ordnance Datum (AOD) for the Regis Centre.The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme.
- 28) The extraction equipment installed in pursuance to condition 19 above shall be maintained in accordance with the approved scheme to ensure its continued satisfactory operation and the cooking processes shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority.
- 29) No sound reproduction or amplification equipment (including public address systems, tannoys or loudspeakers etc) which is audible outside the site boundaries of each site shall be installed or operated on the sites. Site boundary in this case shall relate to specific premises not the overall application site.
- 30) All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated so that the rating level of noise does not exceed the background sound level, when measured according to British Standard BS4142: 2014 at any adjoining or nearby noise sensitive premises. The enclosures or attenuation measures shall thereafter be maintained in perpetuity.

- 31) No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the sites at any time except within the buildings or storage areas approved by the Local Planning Authority.
- 32) Theatre Site (Hothamton Car Park) – Construction Management Plan
No development shall take place, including any works of demolition until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details on the following matters:
- i) The anticipated number, frequency and types of vehicles during construction;
 - ii) The method of access and routing of vehicles during construction;
 - iii) The parking of vehicles and site operatives;
 - iv) The loading and unloading of plant, materials and waste;
 - v) The storage of plant and materials used in the construction of the development;
 - vi) The erection and maintenance of security hoarding;
 - vii) 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); and,
 - viii) Details of public engagement both prior to and during construction works.
- 33) Theatre Site (Hothamton Car Park) – Access – Queensway
No part of the development shall be occupied until such time as the vehicular access on to Queensway has been constructed in accordance with the plan and details submitted to and approved in writing by the Local Planning Authority. This shall include visibility splays of 2.4m by 43m to the east and 29m to the west from the car park egress on to Queensway.
- 34) Theatre Site (Hothamton Car Park) – Access and Egress – Steyne Street
No part of the development shall first be occupied until such time as the vehicular access and egress on to Steyne Street has been constructed in accordance with the plans and details submitted to and approved in writing by the Local Planning Authority.
- 35) Theatre Site (Hothamton Car Park) – Cycle Parking
No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with the plans and details submitted to and approved in writing by the Local Planning Authority. The cycle parking spaces shall thereafter be retained at all times for their designated use.
- 36) Theatre Site (Hothamton Car Park) – Car Parking Spaces
No part of the development shall be occupied until the car parking spaces have been constructed in accordance with the plans and details submitted

to and approved in writing by the Local Planning Authority. These spaces shall be thereafter retained at all times for their designated use.

37) Theatre Site (Hothamton Car Park) – Travel Plan

No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed as advised by the Highway Authority.

38) Theatre Site (Hothamton Car Park) – Servicing Management Plan

No part of the development shall be first occupied until such time as a Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall set out the arrangements for loading and unloading of deliveries, in terms of location and frequency, set out arrangements for the collection of refuse and routing of service vehicles to and from the site. Once occupied the uses shall be carried out only in accordance with the approved Plan.

39) Regis Centre Site – Construction Management Plan

No development shall take place, including any works of demolition until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details on the following matters:

- i) The anticipated number, frequency and types of vehicles during construction;
- ii) The method of access and routing of vehicles during construction;
- iii) The parking of vehicles and site operatives;
- iv) The loading and unloading of plant, materials and waste;
- v) The storage of plant and materials used in the construction of the development;
- vi) The erection and maintenance of security hoarding;
- vii) 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); and,
- viii) Details of public engagement both prior to and during construction works.

40) Regis Centre – Broadband Provision

Prior to the commencement of development a strategy for the provision or facilitation of broadband provision to the future residential occupants of the Regis Centre site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings 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 shall be carried out in accordance with the approved strategy.

41) Regis Centre – Affordable Housing

The development shall not begin until a scheme for the provision of affordable housing as part of the development at the Regis Centre site has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the Glossary of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i) The number, type and location on the site of the affordable housing provision which shall consist of not less than 30% of the housing units distributed across the site with no more than 15 per cluster. The tenure of the affordable units shall be split 75% rented units and 25% shared ownership;
- ii) The timing of the construction of the affordable housing and its phasing in relation to the market housing;
- iii) The arrangements for the transfer of the affordable housing to an affordable housing provider or the manager for the affordable housing if no Registered Housing provider is involved;
- iv) The arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and,
- v) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

42) Regis Centre – Community Facilities

Prior to the commencement of development full details of the Community Facilities as shown on plan 1694/SK03i shall be submitted to and approved in writing by the Local Planning Authority. This shall remain in perpetuity for the provision of Community Facilities.

43) Regis Centre – Off-site Pedestrian and Lighting Improvements

Prior to the commencement of the development a scheme for the off-site pedestrian improvements connecting the Regis Centre site to the seafront and lighting improvements along the seafront shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

44) Regis Centre – Temporary Accommodation for Arun Arts

Prior to the commencement of the development of the Regis Centre a scheme for the provision of temporary Community Facility accommodation for the Arun Arts Company Ltd during the demolition of the Alexandra Theatre and the construction of the Regis Centre shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

45) Regis Centre Site – Access – Clarence Road

No part of the development shall be occupied until such time as the vehicular access on to Clarence Road has been constructed in accordance with the plan and details submitted to and approved in writing by the Local Planning Authority.

46) Regis Centre Site – Cycle Parking

No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with the plans and details submitted to and approved in writing by the Local Planning Authority. The cycle parking spaces shall thereafter be retained at all times for their designated use.

47) Regis Centre Site – Car Parking Spaces

No part of the development shall be occupied until the car parking spaces have been constructed in accordance with the plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall be thereafter retained at all times for their designated use.

48) Regis Centre Site – Access and Egress – Belmont Street

No part of the development shall first be occupied until such time as the vehicular access and egress on to Belmont Street has been constructed in accordance with the plans and details submitted to and approved in writing by the Local Planning Authority. This shall include visibility splays of 2.4m x 43m in both directions.

49) Regis Centre Site – Servicing Management Plan

No part of the development shall be first occupied until such time as a Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall set out the arrangements for loading and unloading of deliveries, in terms of location and frequency, set out arrangements for the collection of refuse and routing of service vehicles to and from the site. Once occupied the uses shall be carried out only in accordance with the approved Plan.

50) Regis Centre Site – Travel Plan

No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed as advised by the Highway Authority.

51) Regis Centre – Ground Floor uses

The Regis Centre site ground floor shall be used for the uses shown on the Ground Floor Layout Plan 1694-02k and for no other purposes.

52) Regis Centre – Aerials

No external radio or T.V aerial shall be erected or affixed on any individual property or flat at the Regis Centre site. Provision shall be made for combined aerial facilities to serve all flat/maisonette development at the Regis Centre site.

53) Regis Centre – Open Space and Play Space

No dwelling shall be occupied until the details of the layout of the development at the Regis Centre incorporating the provision of open space and play space has been submitted to and approved in writing by the Local Planning Authority. The open space and play space shall be maintained thereafter and shall not be used for any other purpose.

54) Regis Centre – Infrastructure Contributions

None of the residential properties at the Regis Centre site shall be occupied unless or until the owner(s) of the land have entered into a scheme or section 106 obligation under section 106 of the Town and Country Planning Act 1990 (as amended) which makes provision for the following contributions to be made to West Sussex County Council:

- i) Primary education contribution towards facilities at South Bersted Primary School - £130,360;
- ii) Secondary education contribution towards facilities at the Regis School - £140,300;
- iii) Sixth form contribution towards additional facilities at the Regis School Sixth Form department - £39,330;
- iv) Fire and Rescue contribution towards the redevelopment relocation of fire stations and associated vehicles and equipment in West Sussex Fire and Relocation Services Southern Area serving Bognor Regis - £3,738;
- v) Contribution towards Digital Access services at Bognor Regis Library - £39,330; and,
- vi) Contribution towards Pagham Harbour Strategic Access Management Measures - £1,275.

55) Restaurant Site (existing skateboard park) – Construction Management Plan

No development shall take place, including any works of demolition until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details on the following matters:

- i) The anticipated number, frequency and types of vehicles during construction;
- ii) The method of access and routing of vehicles during construction;
- iii) The parking of vehicles and site operatives;
- iv) The loading and unloading of plant, materials and waste;
- v) The storage of plant and materials used in the construction of the development;
- vi) The erection and maintenance of security hoarding;
- vii) 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); and,
- viii) Details of public engagement both prior to and during construction work

56) Restaurant Site (existing skateboard park) – Servicing Management Plan

No part of the restaurant shall be first occupied until such time as a Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall set out the arrangements for loading and unloading of deliveries, in terms of location and frequency, set out arrangements for the collection of refuse and routing of service vehicles to and from the site. Once occupied the uses shall be carried out only in accordance with the approved Plan.

57) Kiosks (Esplanade Site) and new Skateboard Park – Construction Management Plan

No development shall take place, including any works of demolition until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details on the following matters:

- i) The anticipated number, frequency and types of vehicles during construction;
- ii) The method of access and routing of vehicles during construction;
- iii) The parking of vehicles and site operatives;
- iv) The loading and unloading of plant, materials and waste;
- v) The storage of plant and materials used in the construction of the development;
- vi) The erection and maintenance of security hoarding;
- vii) 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); and,
- viii) Details of public engagement both prior to and during construction works.

SCHEDULE A – PLANS

Regis Centre Site

- 1694-01h - Proposed Basement Floor Layout
- 1694-02k - Proposed Ground Floor Layout
- 1694-03h - First Floor Plan
- 1694-04h - Second, Third and Fourth Floor Layout Plan
- 1694-06h - Fifth Floor Plan
- 1694-07g - Roof Plan
- 1694-08g - Elevations (south and north)
- 1694-09e - Elevations (east and west)
- 1694-10f - Sections (north and south)
- 1694-11d - Sections (east and west)
- 1694-12a - Street Elevations (south and east)
- 1694-13a - Street Elevations (north and west)
- 1694-15a - Side Elevation (plaza north elevation)
- 1694-16a - Service Building (elevations and plan)
- 1694-17a - Access Ramp from Alexandra Terrace (Elevations)
- 1694-18 - Access Ramp from Belmont Road (Elevations)

1694-L01 – Location Plan

1694-Sch01i – Schedule of Accommodation

1694/SK03i – Ground Floor Layout illustrating uses and indicative landscaping

2015/2408/202 Rev I – Regis Centre, Basement Car Park

2015/2408/201 Rev G – The Regis Centre – Proposed Access Arrangements

2015/2408/202 Rev J – The Regis Centre – Basement Car Park

2015/2408/203 Rev H – The Regis Centre – Access and Servicing Swept Path Analysis

2015/2408/204 Rev D – The Regis Centre – Basement Parking

2015/2408/301 Rev C – The Regis Centre – The Skateboard Park Site: Restaurant Access and Servicing

2015/2408/406 Rev D – Gloucester Road Car Park

Hothampton Car Park

14-104-101 Rev C – Site Location Plan

14-104-102 Rev J – Theatre Site Plan

14-104-106 Rev E – Hothampton Theatre – Basement Level 1 and 2

14-104-107 Rev G – Hothampton Theatre Ground Floor Plan

14-104-108 Rev G – Hothampton Theatre First Floor Plan

14-104-109 Rev F – Hothampton Theatre Second Floor Plan

14-104-110 Rev E – Hothampton Theatre Third Floor Plan

14-104-111 Rev D – Hothampton Theatre Fourth Floor Plan

14-104-112 Rev C – Hothampton Theatre Fifth Floor Plan

14-104-113 Rev C – Hothampton Theatre Sixth Floor Plan

14-104-114 Rev C – Hothampton Theatre Seventh Floor Plan

14-104-115 Rev E – Hothampton Theatre Elevation – South (excluding materials)

14-104-116 Rev E – Hothampton Theatre Elevation – West (excluding materials)

14-104-117 Rev E – Hothampton Theatre Section

14-104-119 Rev G – Hothampton Theatre Parking Strategy

14-104-120 Rev C – Hothampton Theatre Car Park elevations and sections

14-104-121 Rev A – Hothampton Theatre Elevation – East (excluding materials)

14-104-122 Rev A – Hothampton Theatre Elevation – North (excluding materials)

14-104-123 Rev B – Hothampton Theatre Roof Plans

14-104-125 – Hothampton Proposed Street Scenes

2014/2408/101 Rev J – Hothampton Car Park – Ground Floor and Proposed Access Arrangements

2014/2408/102 Rev J – Hothampton Car Park – Servicing and Drop-Off Circulation

2014/2408/103 Rev H – Hothampton Car Park – Ground Floor Swept Path Analysis

2014/2408/104 Rev E – Hothampton Car Park – Basement Level 1

2014/2408/105 Rev E – Hothampton Car Park – Basement Level 2

2014/2408/106 Rev D – Hothampton Car Park – West Street/Steine Street Junction Swept Path Analysis

2015/2408/107 – Hothampton Car Park – Level 1

2015/2408/108 – Hothampton Car Park – Level 2

2015/2408/109 – Hothampton Car Park – Level 3

Kiosks

14-104-118 Rev E Kiosks – Plans and Elevations

Restaurant

14-104-103 Rev E Restaurant Site Plan

14-104-104 Rev C Restaurant Ground Floor Plan

14-104-105 Rev C Restaurant First Floor Plan, Elevations and Sections