

APPENDIX A
Planning Policy Review

APPENDIX A: PLANNING POLICY REVIEW

This Appendix sets out in summary, relevant planning policies and guidance set out in the Arun District Development Plan together with the National Planning Policy Framework.

The Bognor Regis Masterplan, 2004 (Non-statutory Guidance)

The Bognor Regis Masterplan was adopted by Arun District Council as Planning Policy Guidance in November 2004. The document is identified as a non-statutory, informal planning guide based on the provisions of the adopted Local Plan. It is described (at page 2) as a concept document and not a detailed land use plan. Effectively, the Masterplan provides additional information and guidance to support Local Plan policy SITE 2.

While the Masterplan is now somewhat dated and has an informal status it does offer guidance on the vision for Bognor Regis town centre, how the role and function of the centre should build on existing assets to create a series of new attractions for residents and visitors; and how the creation of a vital and viable town centre with a rich urban form will reposition Bognor Regis as a first class coastal destination.

Key objectives and proposals for various areas of the town centre are set out in Sections 3 and 5 of the Masterplan.

The Regis Centre area is identified at page 11 as forming the Leisure Heart and is described as the 'jewel in the crown'. The site's development is considered to be pivotal to the future of the town and that activities on the site should attract visitors and must be housed within first class buildings and public realm. It highlights that the linkage between the Town Centre and the seafront should be reinforced. The mix of uses should include commercial, non-commercial (including active leisure such as cafes, bars and clubs) with the potential for residential development on the upper floors as needed, (heights of at least five storeys are expected). The existing Town Hall is identified to remain in civic use. Landmark development is acceptable in this location and parking is to be limited on-site.

The two feasibility options for the Regis Centre site that are the subject of this report both align closely with the stated design and use objectives in the Town Centre Masterplan. The mix and scale of uses and the approach to the public realm and connectivity are consistent with the Masterplan guidance as well as with later policies contained in the emerging Local Plan and the BRNP.

The Hothamton site is covered by both the 'Retail Quarter' (the eastern side of the site) and 'Healthy Living' (the western part of the site) proposals in the Town Centre Masterplan.

The Retail Quarter proposals support the establishment of retail and mixed use development (including offices and residential) that will attract people to Bognor Regis due to the extensive shopping experience. Permeability of the area between the High Street, Queensway and southwards towards the seafront are key objectives. Parking associated with the retail offer could sit within a multi-storey car park. Building heights of at least four storeys are expected.

The Healthy Living area is considered to be a gateway location and the Masterplan notes that the Hothamton car park does not make optimal use of the value or location of the site. The Masterplan proposes the creation of a new urban community at the heart of the area to enliven the town centre. This includes the creation of a new urban park to connect to the seafront and office, residential, healthcare and library development to the northern edge of the area as complementary landmarks to residential development. The Masterplan identifies that there should be at least one landmark building that is of sufficient height to compete in terms of visual attraction with other tall buildings in the area.

The two feasibility options for the Hothamton site which are the subject of this report align to the objectives and design principles established in the Town Centre Masterplan. Option 1 (Park Option) which includes the new linear park as part of the overall development is

more closely aligned with the Masterplan's guidance to create a new green infrastructure park element connecting the site to the sea and improving permeability and visual legibility in the area.

The Development Plan - Arun District Local Plan, 2003

The Arun District Local Plan (ADLP) was adopted in 2003 and many of the Plan's policies have been 'saved' and therefore remain relevant material considerations for planning decisions.

Policy GEN7 (Form of New Development) establishes that development will be permitted provided it makes efficient use of land or buildings and, for new residential development achieves net densities of at least 30 dwellings per hectare; responds to the identified characteristics of the site and the area to create attractive places and spaces; promotes sustainable development including the effective use and conservation of energy and reducing the need to travel; does not have unacceptable impacts on adjoining occupiers, land uses or property; retains significant open or wooded areas; allows for the safe movement of pedestrians and vehicles; provides for vehicle parking in accordance with policy GEN12 and open space in accordance with policy GEN20. The policy identifies that the Council will expect a high standard of design and layout.

Policy GEN12 (Parking in New Development) confirms that the need for on-site parking provision will be based on the parking standards in the Plan and that parking in excess of the standard will not be allowed. Lower provision may be sought in town centres and other accessible areas.

Policy GEN15 (Cycling and Walking) encourages the development of safe cycle and footpath networks. New developments will be required to provide safe and attractive facilities for cyclists and pedestrians on-site and in the surrounding areas, where appropriate.

Policy GEN20 (Provision of Open Space in New Development) establishes that new residential development will be required to provide open space to the minimum 2.4 hectares per 1,000 population and play equipment to meet the needs of the development.

Policy GEN32 (Noise Pollution) and Policy GEN33 (Light Pollution) deal with development effects in terms of noise and light pollution.

Policy AREA2 (Conservation Areas) states that permission will be granted for development that preserves or enhances the character or appearance of a Conservation Area or its setting.

Policy AREA5 (Protection of Open Space) establishes that the Council will protect public and private open spaces, sports facilities and children's play facilities from development other than associated to recreational development.

Policy AREA7 (Public Car Parks) resists development that involves the loss of existing public car park facilities or spaces, particularly long-term provision unless it is necessary to meet wider transport objectives. An exception is set out in the policy where suitable, alternative spaces can be provided in the locality or to meet wider transport objectives, or the aims of urban renewal.

Policy DEV26 (Criteria for Retail Development) confirms that the existing retail hierarchy of centres will be maintained within Arun. Retail development will need to accord with this objective and must be of a high standard of design, materials and layout, is easily accessible by public transport, includes provision for access on foot and cycle and for those with disabilities, and the design incorporates crime prevention measures.

Policy DEV27 (Retail Development Outside Principal Shopping Areas) permits development for non-food retail and food retail outside Principal Shopping Areas subject to it not adversely affecting the vitality and viability of the Principal Shopping Areas and local shopping areas; is easily accessible by road and public transport, includes provision for access by cycle and on foot.

Policy DEV34 (Tourist Accommodation and Attractions) supports the extension of existing or new tourist accommodation and attractions provided that the proposals are appropriate to the character of the location.

Policy SITE2 (Bognor Regis Town Centre Regeneration) sets out that the Council will initiate and support development proposals to regenerate the town centre and introduce mixed use developments including retail, leisure, residential, office and civic/community uses subject to environmental enhancement schemes and integrated transport management. The policy includes a series of criteria tests to ensure that new developments demonstrate they meet/further the core regeneration aims for the town centre:

- Improve the economic viability and vitality of the town centre by attracting new investment
- Enhance the environmental/architectural quality of the townscape and public realm through improvements to spaces, buildings and streets
- Create and enhance physical/visual linkages between the promenade and the town centre
- Improve the attractiveness of the retail environment to shoppers
- Increase the attractiveness of the town as a holiday destination for visitors
- Improve the accessibility of the town centre and effectively manage the movement of people and vehicles within the town centre

Bognor Regis Neighbourhood Development Plan, 2016

The Bognor Regis Neighbourhood Development Plan (BRNP) passed its referendum on 22nd October 2015 and became a 'made' plan on 11th November. The published Plan dates from August 2015 and forms part of the overall Development Plan for the District. The BRNP covers a fifteen-year period to 2030. Both the Regis Centre and Hothamton sites are within the relevant BRNP area.

The Priority Sites and Policies Inset Plan (page 28), together with Site Specific Policy Location Maps (pages 29 and 30) identify the Regis Centre & Mountbatten Court Site as policy location 8f and the Hothamton Car Park Site, Queensway as location 8g.

Policy 1 (Delivery of the Vision) confirms that development proposals concerned with extension and alterations of designated and non-designated heritage assets and major developments should demonstrate how proposed changes will support the delivery of relevant BRNP objectives and the vision for Bognor Regis. Proposals must identify the significant of any affected heritage asset and assess harm and benefit.

Policy 2 (Promoting the Seaside Identity) sets out that development proposals must adhere to a 'Secure, restore and boost our seaside identity first' principle by responding eloquently and innovatively to the local built environment character and setting.

Policy 6 (Key Gateways and Promotion of Sustainable Travel) expects development proposals to maintain and extend, where possible, emerging networks of rights of way, cycle routes and pedestrian facilities in the town. The policy also indicates that it is beneficial to exploit opportunities to improve pedestrian and cycle movement and vehicle parking provision.

Policy 7 (Promotion of Tourism and Beach Service Points) recognises the importance of the tourist industry to Bognor Regis and supports the development of new and existing

tourist facilities to improve the town as a visitor destination. The policy supports the location of appropriate tourist amenities and structures at specific Beach Service Points/Hubs and notes that these are in close proximity to step free access routes between the town and the foreshore. Any development on the seafront at these service points will be expected to maintain the visual integrity of the key views and vistas defined in the Bognor Regis Characterisation Study, 2014.

Policy 8a (Design Excellence) requires identified Key Priority Sites 8c – 8j (including Regis Centre and Hothamton sites) to demonstrate 'excellence in design' to establish a strong sense of place and create attractive and comfortable places to live, work and visit. The policy identifies that a central part of achieving design excellence is in responding to and integrating with local surroundings, landscape and context as well as the built environment. Policy 8b (Car Parking) requires Key Priority Sites 8c – 8j to demonstrate through Transport Assessment and Travel Plan that they do not impact on existing capacity of public highways to accommodate parking.

Policy 8f (Regis Centre and Mountbatten Court Site) promotes high quality, low carbon development for the site that could include leisure, culture and entertainment. Excellent design and craftsmanship are expected. The policy expects that the following will be accommodated where possible:

- a) Active ground floor/street level uses along a public space linking the Arcade Chambers with the Esplanade as well as along the seafront side of the development
- b) Generous pedestrian space
- c) Consider the provision of a public and step free access route between The Promenade level across to the sandy foreshore
- d) Connectivity between the town centre and the sea
- e) On-site retention of publically accessible Open Space

- f) Plans submitted to convert existing ground floor flats to retail units, fronting the Regis Centre Site and Esplanade, will be supported
- g) Plans that retain, replace, enlarge or improve the existing theatre on the site will be supported
- h) Residential development will be expected to be included in order to encourage use and occupation of the site at all times and contribute to the provision of new homes.

Policy 8g (Hothamton Car Park Site, Queensway) supports a high quality, low carbon development of predominantly retail and B1 office accommodation with other employment generating uses. The policy also supports the retention of open space with a public footpath through the park. The development is expected to retain access to the existing sewerage infrastructure.

Emerging Local Planning Policy

In addition to the existing ADLP and the BRNP, the District Council is currently preparing the Draft Arun District Local Plan 2011 – 2031. When the Plan is adopted it will supersede the existing Local Plan.

The Publication Version of the Draft Local Plan dates from October 2014 and is currently subject to an ongoing Examination in Public that has been suspended while the District Council undertake a programme of additional evidential work.

In its current, emerging state, the Draft Local Plan carries limited material weight in planning decisions as it is a draft document in the plan-making process. Nevertheless, the NPPF confirms that emerging policies hold some material weight and that weight increases the closer the draft Plan comes to adoption.

The following draft policies are relevant to the future development of the Regis Centre and Hothampton Car Park sites.

Policy RET SP1 (Hierarchy of Centres) – identifies Bognor Regis and Littlehampton as the Town Centres with the main focus for major retail, leisure, commercial, office, tourism, cultural, community and residential development.

Policy RET DM1 (Retail Development) confirms that retail development that fits with the hierarchy of retail centres will be permitted subject to criteria including: high standards of design, materials and layout with due regard to the character of the site and its surroundings; is easily accessible by public transport; includes provision for access by foot and cycle; increased appropriate provision to enable access for people with disabilities; and incorporates crime prevention measures.

Policy TOU SP1 (Sustainable Tourism and the Visitor Economy) supports tourism growth and the protection of features that make the District attractive to visitors.

In Policy TOU DM1 (Tourism Related Development), the District Council highlights the need for all visitor attractions, facilities and accommodation to demonstrate that they are in accessible locations and will address visitor management issues and achieve good design. It confirms that large-scale proposals will generally be directed towards Littlehampton and Bognor Regis.

Policy H DM1 (Housing Mix) sets out that the Council will seek a mix of dwelling types and sizes, to include affordable housing units that conform to the HCA's latest design guidance. For developments of 10 units or more there is a need for a balanced mix of market and affordable dwelling sizes including family-sized accommodation (3+ bedrooms) based on the SHMA recommendations. The draft policy also indicates that the

tenure mix will be negotiated on a case-by-case basis taking viability considerations into account.

Policy H SP2 (Affordable Housing) is concerned with securing contributions (commuted sums and on-site provision) for affordable housing. Sites of 15+ dwellings will be required to provide 30% of the total number of units proposed as affordable housing on-site. The default tenure split of affordable rent to intermediate housing is 80:20. The policy requires that affordable housing is indistinguishable from market housing with large groups of single tenure dwellings or property types to be avoided.

Policy D SP1 (Design) establishes that all development proposals should be of good quality and demonstrate a high standard of design. Development proposals should have been derived through thorough site analysis and appraisal, adherence to objectives informing sustainable design. Proposals are to consider the efficient use of land, layout, landscape and its setting, density, mix, scale, massing, materials, finish and architectural details.

Policy D DM1 (Aspects of Form and Design Quality) provides more details on the aspects of design form and quality including character, appearance, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, movement layouts, legibility, public art, density and scale.

With respect to density, new housing is to make efficient use of land while providing a mix of dwelling types. Higher densities are considered to be more appropriate in the most accessible locations. Densities of large sites are to be varied to avoid uniformity.

The scale of development is to be in keeping with the confines of the overall character of the locality unless it can be demonstrated that the contrary would bring a substantial visual improvement.

Policy D DM2 (Internal Space Standards) – sets internal space standards for residential development. The standards are set out in the plan to be used up until the adoption of national described standards. It is useful to note therefore that DCLG has published Technical Housing Standards: Nationally Space Standards (March 2015) that take precedence over the standards described in draft policy D DM2.

Policy D DM3 (External Space Standards) is concerned with establishing external space standards for the provision of useable private amenity space (excluding parking and turning areas). The standards are generally applicable unless the urban density form in town centres requires greater flexibility.

For apartment developments, the minimum area of private outdoor space per apartment (including balconies of minimum 1.5m depth), roof gardens, ground level patios or open space connected directly to the apartment is between 4 sq.m for 1-bed apartments rising to 9 sq.m for 6-bed apartments with an additional 1 sq.m for each additional occupant. For houses the garden areas are set at between 50 – 100 sq.m for 2-bed to a large semi or detached house.

Parking provision is expected which takes into account the location and the type of the scheme to provide a balanced, safe and flexible parking provision. It should be lit appropriately at night. West Sussex County Council guidance on parking provision is to be considered.

Policy OSR DM1 (Open Space, Sport and Recreation) considers open space and recreation provision. For new developments there is a requirement to contribute to the provision of additional open space, outdoor sport and recreation facilities and similarly for indoor sport, arts and cultural facilities to a level commensurate with the additional population generated by that development. New play areas are to be located along public routes and spaces.

Policy T SP1 (Transport and Development) supports development that is designed to reduce the need to travel by car by identifying opportunities to improve access to public transport services; is incorporated in the green infrastructure network and gives priority to pedestrian and cycle movements; incorporates appropriate levels of parking in accordance with West Sussex County Council's guidance; and deals with design issues, inter alia: safe and secure layouts, avoidance of street clutter and incorporates charging electric and plug-in hybrid vehicles.

Policy T DM1 (Sustainable Travel and Public Rights of Way) requires that new development will ensure ease of movement prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community services. The policy seeks to ensure that development is located within easy access of established public transport services and pedestrian/cycle networks; contributes to the extension of public transport services as appropriate; makes provision for cycling and pedestrian facilities to meet Parking Standards; and contributes to the provision of a joined up cycle network and public rights of way network.

Policy T DM 2 (Public Car Parks) is concerned with development proposals that involve the loss of existing town centre car parks or parking spaces (including cycles). Such development proposals must ensure that the loss of parking provision is acceptable; or that sufficient parking spaces are provided to meet anticipated demand at conveniently located areas to access the Town Centre and tourist facilities / attractions; is sufficiently safe and secure; and is accessible for cars, motorcycles and bicycles.

In Policy HER SP1 (The Historic Environment) the draft Plan highlights that the Council will support development proposals that conserve or enhance the historic environment of the District and specifically for Conservation Areas and Statutory Listed Buildings.

Development that is likely to prejudice such heritage assets and feature, including their settings will be refused.

The policy includes specific reference to support for the re-use of vacant or underused Listed Buildings or unlisted buildings that contribute positively to their conservation. Changes of use will be considered in a flexible way but will favour proposals that improve public access.

Policy HER DM1 (Listed Buildings) states that proposals affecting Listed Buildings will be required to preserve or enhance the historic character, qualities and special interest of the buildings; be necessary and not detrimental to the architectural and historical integrity of the building's exterior and interior; protect the special interest of buildings of architectural or historic interest; and protect and where possible enhance the setting of the Listed Building.

Conservation Areas are dealt with through Policy HER DM3 (Conservation Areas). This sets a series of criteria for the development of proposals within or affecting the setting of a Conservation Area and restricts the demolition or substantial demolition of buildings in the Area.

Policy QE SP1 (Quality of the Environment) expects that development will contribute to the quality of the environment and ensure that development does not have a significant, negative impact upon residential amenity, the natural environment or leisure and recreational activities.

Policies QE DM1 (Noise Pollution); QE DM2 (Light Pollution); and QE DM3 (Air Pollution) deal respectively with controlling effects arising for and from new development with regard to noise, light and air quality.

National Planning Policy

The National Planning Policy Framework, 2012

The National Planning Policy Framework (NPPF) was published in March 2012 and is a material consideration in plan-making and in determining planning applications.

The NPPF sets out policies that taken together described sustainable development. The NPPF supports sustainable development encourages decision-making to allow sustainable developments to proceed without delay.

Relevant, applicable paragraphs of NPPF include the following:

- 6, 7, 8, 9, 14 and 197 – the purpose of the planning system, definition of sustainable development and the thread running through all planning decisions; the presumption in favour of sustainable development
- 17 – Core planning principles
- 18 – 21 – strong competitive economy
- 29 – 32 – sustainable transport, transport assessment and effects
- 47 – 50 – housing delivery and housing land supply
- 56 – 58 – requiring good design
- 109 – conserving and enhancing the natural environment
- 128 – 135 – protecting, sustaining and enhancing heritage assets
- 150 and 196 – decisions are to be made in accordance with the Development Plan unless material considerations indicate otherwise. The planning system is plan-led
- 173 – ensuring viability and deliverability in plan-making and decision-taking
- 178 – 179 and 181 – planning strategically across local boundaries and the Duty to Co-operate
- 187 – local authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development

- 214 – 215 – transition process and weight for Saved Development Plan policies prepared prior to the publication of the NPPF
- 216 – Approach to the weight to be applied to emerging Local Plan policies.

