

Recommendation Report for Planning Permission

REF NO: BR/10/20/PL

LOCATION: 8A Sadler Street
Bognor Regis
PO21 1UA

PROPOSAL: Replacement of 2 No. timber windows, 1 No. timber bay window & 1 No. timber door all with PVCu windows (only bedroom window will be sliding sash) & door. This application affects the character & appearance of The Steyne, Bognor Regis Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE CHARACTERISTICS	Flat
CHARACTER OF LOCALITY	Residential with retail and the Bognor Regis Museum to the south.

RELEVANT SITE HISTORY

BR/358/19/HH To replace the bathroom, bedroom and kitchen windows and the outside door (located in the kitchen) .All situated at the rear of No 8a (which overlooks Sadler st. in Bognor Regis) see photo 6 and " location of proposed changes plan").

Currently the windows are all white painted timber sash with top and bottom sliding sections (see photos 1,2 , 7 and 4) . The door is timber, painted black with the top half opaque security glass (see photo 3). The kitchen window is of the bay type, effectively made up of large central sliding openers with small non opening sections on either side (see photo 4). All are single glazed and are very old. Despite being refurbished 12 years ago and regularly painted, they are drafty and offer poor insulation, making the flat expensive to heat for our tenants.

We propose to replace them with white upvc double glazed casement style windows which will fully open to allow the same size of fire exit as they do now. However, because a down pipe restricts the opening of a casement, the bedroom window will be in a sliding sash style, as as present. They will all look very similar to the existing ones.

The new Upvc door will have a top double glazed panel in opaque security glass.

Please see our suppliers quote - photo 8, which gives an idea of how the new items will look .

PAA/114/19/	Replacement of timber sash windows in kitchen, bathroom, bedroom & lounge windows with PVCu.	Refuse Pre App 30-10-19
PAA/105/19/	Replacement of white painted shash windows to uPVC double glazed sliding sash windows.	

Relevant site history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection

Arun District Conservation Area Advisory Panel:

Object on the following grounds The proposed fenestration will be detrimental to the appearance of the conservation area. It will harm the character of the conservation area in conflict of NPPF 2019 Paragraph 192 (heritage assets - includes Conservation Areas), Paragraph 127 (design quality); Arun District Local Plan 2018, Policy HER DM3 (Conservation Areas), Policies DSP1 and DDM1 (design quality).

The Panel appreciate that there may be examples of inappropriate windows and doors in the locality but a start should be taken to upgrade the environmental quality of this part of the conservation area. It would be hoped that in the longer term a strategy could be forthcoming that would upgrade this street and Market Street.

One letter of representation from nearby occupiers in support of the application as they feel they have followed the guidance provided in the pre application advice.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

A verbal discussion was had between the case officer and the Conservation Officer where it was agreed there was no objection to the works as similar works have been carried out along the road.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

2km Buffer for Site of Special Scientific Interest

Pagham Harbour Zone B

Within the Built Up Area Boundary

Within the Conservation Area

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

HERDM3 HER DM3 Conservation Areas

SDSP2 SD SP2 Built-up Area Boundary

[Bognor Regis Neighbourhood Plan 2015 Policy 8A](#) Design Excellence

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it is located within the built up area boundary, also located within a sustainable location, in that it would have no materially

adverse effect on the visual amenities of the locality/the established character of the surrounding area.

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1, D DM4 and HER DM4 of the Arun Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

DESIGN AND VISUAL AMENITY

The application site is located within a Conservation Area. The part in the locality of the dwellinghouse relating to windows the area is largely host to vertically sliding sash windows, with very few examples of uPVC windows.

The proposed development is not considered to have any significantly harmful impact upon the character of the host building, or the Conservation Area in which it is located. This is due to the fact that there are examples of a similar materials existing on the host building, and on other buildings within the area. With regard to the design of the glazing bars, it is noted that the proposed style does differ from those existing on the property, however, due to the modest size of the opening, the set back nature of the buildings and the fact that all replacement windows are going to be of same design the proposed development is considered to appear sympathetic to the character of the existing building.

The proposed development is considered to be in accordance with D DM1 and HER DM3 of the Arun Local Plan.

HERITAGE IMPACT ASSESSMENT

Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 applies special regard to the desirability of the preservation of the character and appearance of Conservation Areas. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets.

In this instance, it is considered that the proposed development does not cause harm to the conservation area in which it is sited or to the Listed Building, and as such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful impact upon the occupiers of nearby dwellings. This is due to its lack of built form. Furthermore, the proposal is not deemed to result in any loss of privacy to nearby occupiers, in that the windows are in locations to replace those existing on the buildings.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
- Location and Block Plans
 - Window Details
 - Floor Plan
 - End Elevation

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.