REPORT UPDATE

Application No: BR/13/10/

Reason for the Update / Changes

Reason for Update/Changes:
Consultation Response and additional informatives

A consultation response has been received from Southern Water, which states that the exact position of the public sewers must be determined on site by the applicant before the proposed demolition of the existing brick wall is finalised.

An informative has been attached to the planning permission, advising the applicant of Southern Waters comments.

A standard informative detailing why the permission has been recommended for approval and the relevant policies has also been added to the recommendation sheet.

Officers Comment:
None.

Note: The changes to conditions/ informative are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

BR/13/10/

PLANNING APPLICATION REPORT

REF NO: **BR/13/10/**

LOCATION: University of Chichester
Bognor Regis Campus
Upper Bognor Road Bognor Regis

PROPOSAL: Part demolition of wall & erection of Oak boarded fence & lower wall to east of Longbrook Car Park

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This proposal seeks planning permission for the part demolition of a section of walling and the erection of oak boarded fencing; and the lowering of walling to the east of Longbrook car park. The resultant height of the enclosures would be 2.1m and 1.2m in height respectively.

	The intention is to lower the wall to the east of Longbrook Car Park and to use the existing handmade clay copings to weather the revised wall height. All the hand made brick from the collapsed wall will be retained for repairs to similar walls in the same general area. The applicant has employed structural engineers, Archibald Shaw & Partners, who have confirmed that the walls are 'dangerous classification', with immediate action to reduce height.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DEN	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None.
SITE CHARACTERISTICS	L-shaped section of walling, located to the eastern corner of a tarmac parking area. The longer section of walling to the west side consists of red brickwork and is approximately 2.5m in height. The rear portion of walling consists of reddish brown brickwork and is approximately 2m in height. Electricity sub station and cycle storage area positioned adjacent to the rear portion of walling.
CHARACTER OF LOCALITY	The sections of walling that are the subject of this application are located within the grounds of Chichester University. The University site is located within Upper Bognor Road and Mead Lane Conservation Area. Numerous buildings are located within the University grounds; many of which are Listed Buildings. Tarmac parking area to the west side of the application site. Barbara Smith Hall of residence positioned to the south east side.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council representation:
Objection:
On the grounds that the existing wall is set in a Conservation Area. The photographs show an original brick wall, which should not be destroyed. If possible, it should be preserved.

Other representations:
None.

Comments on Representations received:

Comment on Town Council representation:
The walling is located within the Upper Bognor Road and Mead Lane Conservation Area, where in accordance with Policy saved AREA2 (Conservation Areas) of the Arun District Local Plan development should preserve or enhance the character or appearance of a Conservation Area or its setting. Although the retention of the walling would be preferable, the walling is structurally unsound and has been confirmed by the applicants structural engineers, Archibald Shaw & Partners as having a 'dangerous classification', with the need for immediate action to reduce in height. The proposal seeks to preserve the walling as far as is possible.

Comment on other representations:
N/A.

CONSULTATIONS

West Sussex - Listed Building
Southern Water Planning
Building Control

Consultations responses received:

WSCC Architect:

The wall is potentially unstable. If we support the reduction of the wall then we require a brick coping, as per the sketch on file.

Conservation Area Advisory Committee
Strong Objection:
Brick wall should be rebuilt.

Comments on Consultation responses:

Comments noted. The applicants letter states that the intention is to use the existing handmade clay copings to weather the revised wall height.

Although it would be preferable for the brick wall to be rebuilt, this application must be considered on its own individual merits and as submitted.

POLICY CONTEXT

Designation applicable to site:

Class 'A' Road
Conservation Area
Listed Buildings (Grade 1 and II)

Tree Preservation Order
No Public Sewer

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPCC1	Sustainable Development
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPG15	Planning and the Historic Environment

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual amenity and the character and appearance of the Conservation Area.

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."

Where a wall 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 relevant Development Plan policies and the criteria detailed above in that the walling, which is the subject of this application is structurally unsound. The proposed works are therefore required in order to preserve the walling and it is considered that they would not have a materially adverse affect on the character or appearance of the Upper Bognor Road and Mead Lane 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

This proposal seeks planning permission for the part demolition of a section of walling and the erection of oak boarded fencing; and the lowering of walling to the east of Longbrook car park. The resultant height of the enclosures would be 2.1m and 1.2m in height respectively.

The intention is to lower the wall to the east of Longbrook Car Park and to use the existing handmade clay copings to weather the revised wall height. All the hand made brick from the collapsed wall will be retained for repairs to similar walls in the same general area.

It is noted that planning permission is not required for the demolition of the walling, however conservation area consent is required and is being sought under planning ref: BR/14/10/CA.

The walling is located within the Upper Bognor Road and Mead Lane Conservation Area, where in accordance with saved Policy AREA2 (Conservation Areas) of the Arun District Local Plan, development should preserve or enhance the character and appearance of a Conservation Area or its setting. Although the retention of the walling would be preferable, the walling is structurally unsound and has been confirmed by the applicants structural engineers, Archibald Shaw & Partners as having a 'dangerous classification', with the need for immediate action to reduce in height. This proposal therefore seeks to preserve the walling as far as is possible, and in light of this, it is considered that the proposals would not detract from the character or appearance of the surrounding conservation area.

It is therefore recommended that the application is approved, subject to the conditions set out below.

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 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the wall from collapse and/or structural damage.

Reason: To preserve the character and appearance of the walling in accordance with policies GEN7 and AREA2 of the Arun District Local Plan.

3 No development shall be carried out unless and until a schedule of materials and finishes to be used for the walling and fencing have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the walling/ fencing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Conservation Area in accordance with policy GEN7 and AREA2 of the Arun District Local Plan.

4 The rebuilding of the walling hereby approved shall use the existing handmade clay copings to weather the revised wall height, as specified in John Summers Letter dated 21st January 2010. Any variation shall be agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Conservation Area in accordance with policy GEN7 and AREA2 of the Arun District Local Plan.

5 This permission relates to the following approved plans:-

OS Plan outlining 'Area of Application'
University of Chichester - Bognor Regis Campus - Location Plan. Scale 1:1250
University of Chichester - Bognor Campus - Block Plan. Scale 1:500
University of Chichester Bognor Regis Campus. Part demolition of wall & erection of Oak Boarded fence & lower wall to east of Longbrook Car Park.
Plan outlining affected walls in Blue and Red
7 No. photographs

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

6 INFORMATIVE:

The applicant is advised of the following comments, which were received from Southern Water on 16th March 2010:-

'The exact position of the public sewers must be determined on site by the applicant before the proposed demolition of the existing brick wall is finalised'.

7 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the walling, which is the subject of this application is structurally unsound. The proposed works are therefore required in order to preserve the walling and it is considered that they would not have a materially adverse affect on the character or appearance of the Upper Bognor Road and Mead Lane Conservation Area and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

SOUTH EAST PLAN: CC1

LOCAL PLAN: GEN2, GEN7, AREA2

NATIONAL POLICIES: PPS1, PPG15

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.