

Recommendation Report for Planning Permission

REF NO: BR/150/12/

LOCATION: University of Chichester
Dome House
Upper Bognor Road Bognor Regis

PROPOSAL: Various landscape works. Demolition of wall to be re-built to 1.5m in height. Remove parking from frontage & create new car park to west side. New pavement to front of building, footpath & paved circle

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is to remove the existing 12 car parking spaces to the front of the building and replacing with landscaping and a new pedestrian footpath. The replacement car parking will be provided to the west side of the Dome.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint walling around perimeter.
SITE CHARACTERISTICS	Red brick Dome building with grey headers. Car park to front of site with green sitting area. To rear less formal layout.
CHARACTER OF LOCALITY	On the edge of the town centre and opposite Hotham Park.

RELEVANT SITE HISTORY

BR/69/12/TC	Felling and surgery to various trees within the University Campus within the Upper Bognor Road and Mead Lane Conservation Area.	No Objection 08-05-2012
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REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection. Subject to the existing materials being reused

Comments on Representations received:

Noted

CONSULTATIONS

Environment Agency
Council's Arboriculturalist
Parks and Landscapes
Engineers (structural)
WSCC Local Development Divis.

Consultations responses received:

County Highways
No objection

County Archaeology
The proposal is de minimus and therefore no historic recording required.

District Engineers
No objections or concern regarding design or stability of the wall.

Environmental Agency
No comments

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary
Listed Building Grade I & II
Setting of Listed Building II*
Within a Designated Conservation Area
Tree Preservation Order
Class A Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN11	Inland Flooding
	GEN12	Parking in New Development
	GEN7	The Form of New Development
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding 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.

The emerging Arun Local Plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. It remains subject to public consultation and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

CONCLUSIONS

PRINCIPLE

The site is within the built up area boundary, within the Conservation Area and is a Grade I Listed Building. Therefore any development must be sensitive to the historic environment. The setting of this Listed Building is important in to the historic context of this site.

HISTORIC CONTENT

The Dome building underwent major refurbishment during 2011 and the intension is now to upgrade the grounds to reflect the history and architecture of the Dome to provide outdoor facilities for staff and students.

THE PROPOSAL

To remove the existing car park at the site entrance and lanscaped with a pedestrian pavement to be constructed 3.8m wide from St Michaels House to the Dome. The replacement car park is to be provided on the west of the Dome after the removal of some poor specimen trees (BR/69/12/TC). The new parking will be more discreet rather than its dominant current position.

To achieve a new access 3m of flint wall is to be removed and the collapsed wall to the south will be rebuilt. Overall it is considered that the new landscaping will enhance the setting of the Listed Building.

NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 126 states that Local Planning Authorities should take into account the desirability of new development making a positive contribution to local character and distinctiveness and to take opportunities to draw on the contributions made by the historic environment to the character of a place.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation. As stated above, it is considered that the proposal will enhance the setting of this Grade I Listed Building.

FLOOD RISK

The site is within flood risk area, the Environment Agency confirmed by email to the applicants

agents Your proposal to rebuild an existing wall is very minor and we do not consider that it poses an increase to flood risk. Therefore in this instance we do not feel a flood risk assessment is necessary.

SUMMARY

The proposed relocation of the car park to the west side of the Dome and the proposed landscaping is considered to greatly enhance the setting of the Listed Building. The removal of 3m of flint walling to relocate the access is considered to be acceptable and the rebuilding of the wall to the south is welcomed. It is therefore recommended that the application is approved subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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) 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 none of the following impacts (negative, Neutral or positive) 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).

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 drawings AR/Inst./102.2, AR/Inst/102.4, AR/Inst/102.6, AR/Inst/102.5, AR/Inst/102/1, AR/Inst/102.3

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.

- 3 The materials and finishes of the wall which is to be rebuilt and is hereby permitted shall be constructed re-using the flint/brick from the demolished or collapsed wall.

Reason: To preserve the appearance and special character of the Listed Building and its features of architectural interest in accordance with the National Planning Policy Framework.

- 4 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to the access.

- 5 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character) and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN11, GEN12

NATIONAL PLANNING POLICY FRAMEWORK

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.