Recommendation Report for Listed Building Consent for Alterations, Extension or Demolitior

REF NO: **BR/158/17/L**

LOCATION: The Lodge
West Street
Bognor Regis

PROPOSAL: Listed building consent for internal secondary glazing to ground floor sash windows, levelling of solid concrete living room floor, 3 new doors to existing internal openings, new sash window, installation of shower cubical in store adjacent to stairs, with external vent for extractor fan, new wash hand basin in covered courtyard, new kitchen extractor with external vent, new veranda with glazed roof to side, proposed security camera on front elevation and repositioning of external slabs at ground level.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.01 hectares.
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	The Lodge is a two storey detached Grade II listed building of the mid 19th century.
CHARACTER OF LOCALITY	Historic seafront, Steyne conservation area with listed buildings and buildings of special character, mainly two storey in height.

RELEVANT SITE HISTORY

BR/156/17/L	Listed Building Consent for re-positioned door opening in internal stud wall between living room and dining room, with pair of doors to match existing, making good of existing door opening and re-positioning of two radiators.	ApproveConditionally 24-07-2017

Listed building consent for other works to the dwelling recently granted conditional approval.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Listed Building Officer
Conservation Officer

Listed Building Officer

Consultations responses received:

HISTORIC BUILDINGS OFFICER

The Lodge is a Grade II listed building of the mid-19th century and it fronts a small lane in The Steyne conservation area.

There is no objection to the following elements of the proposal as they cause no harm to the significance of the designated heritage asset:
- internal secondary glazing to ground floor sash windows
- external vents for extractor fans (details of external grilles required by condition)
- external security camera
- repositioning of external slabs at ground level.

There is no objection in principle to the following elements of the proposal:
- levelling of solid concrete living room floor
- 3 new doors to existing internal openings
- new wash hand basin in covered courtyard
- installation of shower cubical in store adjacent to stairs

However the supporting documentation is insufficient to allow a full understanding of their potential impact on the significance of the heritage asset, and with ref to para 128 of the NPPF, the following are required:
a) floor plans identifying the location of the works
b) photographic evidence demonstrating that the existing floor is modern
c) details of the proposed doors (these could be required by condition, if preferred)

There is no objection in principle to a modestly scaled side verandah, as it is a reversible intervention which causes no permanent harm to the significance of the host building. However as proposed, the new element extends across the full width of the western elevation and it has a strong presence in views of the principal facade. It should be reduced in length and set well back, so that it has a less intrusive presence when the listed building is viewed from the front. Details of the abutment between the new structure and the fabric of the listed ted building are also required.

The proposed new window results in loss of original fabric and materially alters the largely 'blind' quality of the western elevation, thereby resulting in harm to the significance of the heritage asset. No justification for the new opening has been provided and unless it can be demonstrated that the harmful intervention is essential to the sustainable use of the listed building, it is unacceptable in terms of Policy HER DM1.

The importance of sustaining and enhancing the significance of heritage assets, while keeping them in viable and appropriate uses, is emphasised throughout Section 12 of the NPPF and para. 132 requires great weight to be given to their conservation.

While much of the proposal is acceptable in principle, minor design amendment and more comprehensive supporting documentation are required. In terms of Policy HER DM1, Listed Building Consent cannot be approved for the proposal in the present form

SECOND COMMENT

Addendum, 7 September

The minor design amendment and additional supporting information successfully resolve the preceding conservation concerns. Subject to the following conditions, there is no further objection in terms of Policy HER DM1.

- details of external grilles to vents for extractor fans
- details of the new interior doors

CAAC- No objection. Details of joinery to be covered as a condition and approved by planning officer.

Comments on Consultation responses:

Comments noted. Details required by Historic Buildings Officer will be required via condition.

POLICY CONTEXT

Designation applicable to site:
Grade II listed building.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	
Publication Version of the Local Plan (October 2014):	HER DM1 Listed Buildings
Bognor Regis Neighbourhood Plan 2015 Policy 1	Delivery of the Vision

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Bognor Regis NDP policy 1 is to be considered against this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:
"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
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

The proposal is considered to enhance the listed building and have an limited impact on its character and the character of its setting in compliance with emerging policy HER DM1, Bognor Regis NDP policy 1 and the NPPF.

Approval of listed building consent with conditions is recommended, regarding:-

- details of external grilles to vents for extractor fans
- details of the new interior doors

HUMAN RIGHTS ACT

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 works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2 The works hereby approved shall be carried out in accordance with the following approved plans:-

IBA/465/01
IBA/465/02 Revisions A
IBA/465/04 Revisions A

Reason: For the avoidance of doubt and in the interests of preserving the character of the listed building and its setting within the environment.

3 Details of external grilles to vents for extractor fans and the new interior doors shall be submitted to and approved in writing by the Local Planning Authority before work is commenced. Work shall then be carried out in line with the approved deatails.

Reason: To preserve the appearance and special character of the building for the future in accordance with the National Planning Policy Framework.