

Recommendation Report for Planning Permission

REF NO: BR/172/25/PL

LOCATION: Belmont Lodge
Belmont Street
Bognor Regis
PO21 1LE

PROPOSAL: Replacement of existing pitched roof with a mansard type roof over Block A outbuilding of Belmont Lodge to create ancillary accommodation for the existing flats at ground floor level. This application may affect the setting of a listed building and is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to alter an existing roof from a pitched to a mansard roof. This will also have ancillary accommodation with the roof. The change has already been implemented.
TOPOGRAPHY	Predominantly flat.
TREES	None on site.
SITE CHARACTERISTICS	The wider site is occupied a detached building (Belmont Lodge) which serves as a 40 bed HMO. There is a separate detached building with a further 3 units which forms part of this application and a detached pitched roof office building to the western boundary (BR/41/26/PL).
CHARACTER OF LOCALITY	The area is mixed in use, with both residential and commercial uses nearby. Bognor Regis High Street is located to the rear of the site.

RELEVANT SITE HISTORY

BR/74/16/PD	Prior notification under Class O for change of use from Use Class B1(a) offices to Use Class C3 dwellingshouses	No Objection 17-05-16
BR/149/14/OUT	Application for outline planning permission with some matters reserved for redevelopment of existing office accommodation and parking area by means of 13 No. 2 bed flats with parking	App Cond with S106 22-01-15

REPRESENTATIONS

Bognor Regis Town Council provided no objection.

- Members expressed concern that the development has been carried out without prior planning permission.
- Members note that further related development has been submitted under application BR/41/26/PL and consider that the cumulative impact of development on the site should be assessed holistically.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.

Conservation Officer - The proposal would cause harm through the scale, form, and visual dominance of the proposed roof.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary

Article 4

Economic Growth Area

Pagham Harbour Zone B

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 the development would not result in adverse harm upon the character of the area nor upon neighbouring amenity, parking, drainage or heritage assets.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is exempt from biodiversity net gain being solely on hardstanding.

CONCLUSIONS**PRINCIPLE**

The development is in the built-up area boundary where the principle of development is acceptable subject to compliance with relevant development plan policies.

Bognor Regis has a made Neighbourhood Plan although none of the policies are relevant to this application.

DESIGN AND VISUAL AMENITY

Arun Local Plan (ALP) policy D SP1 requires that development proposals make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

The building is along the northern boundary of the site and the proposal seeks to alter the roof from a hipped roof to a mansard roof. This will have ancillary accommodation with the roof used by the ground floor units.

The overall roof height will remain the same as existing at 4.85m however the general bulk will increase due to the style of roof type proposed. The roof alteration has already taken place and features dark grey tiles. This matches the previous material and that used on neighbouring buildings on the site and remains in keeping with the appearance of the wider site which features both single and two storey buildings.

Whilst the alteration appears more prominent in appearance due to the roof type, it is no higher than existing and is set back approximately 19m from the highway at Belmont Street. The development is therefore not overbearing upon the street scene.

The Arun Design Guide (ADG) states 'development should 'avoids insensitive extensions and alterations which deviate from the general scale and massing of the surrounding area'. There are limited examples of mansard roofs in the vicinity however the general scale and massing is not harmful and as such it accords with the ADG.

The proposal would not result in harm upon the appearance or character of the area in compliance with ALP policies D DM1 and D DM4.

RESIDENTIAL AMENITY

ALP policy D DM1(3) indicates planning permission will only be granted where it has minimal impact on the users or occupiers of nearby land.

The development is no higher than existing at 4.85m although the mansard design adds bulk to the roof. There is a two storey building to the west of the site, adjoining the arcade (No.6). This has rear facing first floor windows which face toward the development. The roof alteration would be visible from this building however due to the separation with approximately 9.3m between the building, it would not give rise to overbearing or overshadowing. There is a flat roof building which is attached to the rear of the site, however this is single storey and would not be subject to harm from the development proposed.

Ancillary accommodation is proposed within the roof which will be accessed via staircases from the ground floor which features 3. No studio flats. There will be a slight reconfiguration to the ground floor units to enable this. There will be 3 windows to the north and south serving the accommodation at first floor. The windows to the south will overlook the host car park and windows to the north will overlook the neighbouring building which includes a blank two storey elevation and a flat roof. As a result, the proposal would not result in adverse overlooking.

The proposal would not result in adverse harm upon amenity by way of overbearing, overlooking or overshadowing in compliance with ALP policy D DM1 and D DM4.

FLOOD RISK AND DRAINAGE

ALP policy W DM2 relates to flood risk.

The site is not in a flood risk zone. Arun mapping indicates the area does have high groundwater. The site seeks development to the first floor only and does not increase the footprint of the building. The proposal would not result in an increase to flood risk at the area.

No changes are proposed to existing drainage. There will be no changes to the footprint of the building or the surrounding hardstanding. The number of bedrooms and occupancy is the same as existing and the

development would not result in additional adverse impact upon surface water or foul drainage.

The development will not give rise to an increase in flood risk nor drainage and is in compliance with ALP policy W DM2.

HERITAGE ASSETS

ALP policy HER DM1 and HER DM2 relate to the protection of listed buildings and locally listed buildings.

The site is within close proximity to a number of heritage assets. Locally Listed Buildings are directly to the west at the Arcade and York Road and Grade II Listed Buildings are located to the east at Bognor Regis Town Hall with the Bognor Regis and District War Memorial to the front. The larger building on the site (Belmont Lodge) is also a Non-Designated Heritage Asset. One of the defining features of Belmont Lodge is its Regency character. A key part of this is the restrained appearance of the building, where the shallow pitched tiled roofs are deliberately hidden behind a plain pediment. This design draws attention to the simple, well proportioned elevations rather than the roof itself.

The single storey building that is the subject of this application had a simple pitched roof, prior to the retrospective works. It is understood that this building has changed over time, having originally been a coach house, later used as a painter's studio, and more recently used as a garage. This history adds interest to the site. While it is accepted that the building has already been adapted, the proposal as submitted is problematical.

The introduction of a mansard roof would fundamentally change the appearance of the building. The roof would be much more visible and more bulky than the existing roof and would be out of character with both the building itself and the wider Belmont Lodge site. Although the overall height may not increase significantly, the additional mass and volume would make the roof appear large and dominant, rather than a secondary subordinate element to the lodge.

The result would be that the proposal would cause harm through the scale, form, and visual dominance of the proposed roof, which fails to reflect the original design approach and restrained character of the building.

Paragraph 216 of the NPPF requires the effect of development on the significance of a non designated heritage asset to be taken into account in determining an application, with a balanced judgement reached having regard to the scale of any harm or loss and the significance of the asset.

The scale of the harm is considered minor, with the overall height of the building remaining as previously approved. The use of matching roof materials to that of Belmont Lodge and a neighbouring building to the west helps to ensure that whilst the roof design differs, it continues to be read as part of a group with the surrounding buildings on the site. The building is not likely to be visible from the listed buildings due to its position, set back into the site. The alteration would not result in significant harm to the heritage assets in which a refusal would be justified.

The proposal complies with relevant policies of the ALP.

SUMMARY

The development complies with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan - PL001
- Proposed Site Plan - PL003
- Proposed Elevations - PL005
- Proposed Floor Plans - PL014

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 2 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.