

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition of a
Listed Building

REF NO: BR/186/18/L

LOCATION: Office Accommodation
71 Upper Bognor Road
Bognor Regis
PO21 1HP

PROPOSAL: Listed building consent for the demolition of boundary wall & associated/linked
20th century outbuildings

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to clear the lower sections of wall record what remains of the structures which formerly sat adjacent to the wall and remove the fabric from the site. The stone (if any) bricks and flint can be stored on site to facilitate future repairs and alterations to the remaining historic boundary walls on the site.
SITE CHARACTERISTICS	The section of wall to be removed measures approximately 20m in width. The wall is approximately 2.5m high. The site lies between the existing University of Chichester Bognor Regis campus on land known as The Donkey Field which is presently under development as the emerging Engineering and Digital Technology Park. To the west are the Barbara Smith Halls, constructed in 2000 which are currently viewed from the roundabout. No.71 Upper Bognor Road sits immediately to the west of the site within its walled gardens. It is Grade II listed. There is a red brick serpentine wall to the north end of the garden which now sits between No.71 and the recently constructed Barbara Smith Halls. There is a gap in the wall to the northwest corner of the garden space.
CHARACTER OF LOCALITY	The campus measures approximately 10.35ha. It is set within an urban fringe landscape with development of various periods to the North, west, and south. The open area to the North-East of the campus stretches north towards recreation areas which link via Bognor Regis Golf Course into wider open countryside. Within the campus there are a number of designated and non-designated heritage assets. The Dome which sits within a group of three late Georgian houses is Grade I listed. The remaining buildings forming the crescent group are Grade II

listed. There are further individually listed buildings and structures including a number of brick and brick and flint walls. Further, the entire campus running up adjacent to the site falls within the Hotham Park Conservation Area. The Conservation Area includes the campus and Hotham Park to the south of Upper Bognor Road.

RELEVANT SITE HISTORY

BR/67/04/L	Application for Listed Building Consent for alterations & refurbishment of existing residential dwellings to provide student accommodation.	ApproveConditionally 21-04-04
BR/146/16/L	Application for Listed Building Consent to remove two sections of the curtilage wall forming the boundary of 71 Upper Bognor Regis Road to allow for a pedestrian link to be formed; construction of supporting brick piers; rebuilding of collapsed boundary walls; and necessary repairs to the listed wall	ApproveConditionally 20-12-16

Noted. This application seeks an amendment to BR/146/16/L.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

Bognor Regis Town Council - No objection on the grounds that the existing flint walls along Upper Bognor Road remain intact and that any repairs to these walls be in accordance with existing materials used.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Conservation Officer

Engineers (structural)

CONSULTATION RESPONSES RECEIVED:

ADC Engineers - No Comment.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

DEVELOPMENT PLAN POLICES

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#)

Delivery of the Vision

Bognor Regis Neighbourhood Plan 2015 Policy 8j

The University of Chichester Bognor Regis Campus

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.

Policies 1 and 8J of Bognor Regis Neighbourhood Plan have been taken into consideration.

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

IMPACT ON THE LISTED BUILDING:

Arun Local Plan policy HER DM1 states that "Proposals affecting statutory Listed Buildings will be required to:

- (a) Preserve or enhance the historic character, qualities and special interest of the buildings;
- (b) Be necessary and not detrimental to the architectural and historical integrity and detailing of a Listed Building's exterior;
- (c) Protect the architectural and historical integrity and detailing of a Listed Building's interior;
- (d) Protect the special interest of buildings of architectural or historic interest; and
- (e) Protect, and where possible enhance the setting of the building."

The wall is constructed of red brick in Rat Trap bond with a moulded clay tile capping. It has subsequently formed part of the garden boundary walls to No.71. Its aesthetical value lies in its enclosure of the attractive garden space to No.71 which retains its small villa scale despite changes to the campus over the last 50 years. Along with the serpentine wall to the north (statutory listed by virtue of its physical connection to the Grade II listed wall) it forms a group of considerable quality and significance all of which are considered individually and collectively to make a positive contribution towards the character and appearance of the Hotham Park Conservation Area.

The University of Chichester has a proposed Masterplan for the development of the Bognor Regis Campus, which is to be completed in phases. The proposal for this Phase 1 development is to develop the southern end of the scrubland known as the 'Donkey Field' to create a new Engineering and Digital Technology Park teaching block, with associated car parking for 145 spaces plus cycle storage and a campus bus. This building is now (June 2018) substantially complete.

The present approvals relating to the design and technology park include the removal of sections of the Grade II listed wall to the east side of No.71 to facilitate through access into the newly developed part of the campus.

The proposals which will include the potential loss of historic fabric will result in less than substantial harm. These changes are necessary in terms of the better revealing of significant heritage assets (the serpentine wall) and the public benefit of effectively linking the existing campus with the proposed facilities.

The Conservation Officer was consulted on these proposals but has failed to provide any comments.

There are public benefits to be had from the proposed development and these are considered to outweigh the potential less than substantial harm accruing from the changes which will occur in this part of the campus. It is therefore considered that the proposal complies with ALP policy HER DM1 and that it can therefore be supported.

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

50136-AP_000 Location Plan
50136-AP_001 Red Line Plan
50136-AP_030 Site Plan
50136-AP_033 Existing Site Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies HER SP1 & HER DM1 of the Arun Local Plan.

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

Reason: To preserve the character and appearance of the Listed Building in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 4 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the wall shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 5 The materials for the brick piers shall be submitted to and approved in writing by the Local Planning Authority unless the materials used for the piers are bricks that result from the demolition of the existing wall.

Reason: To preserve the appearance and special character of the building for the future in

accordance HER DM1/HERDM3 of the Arun Local Plan and the NPPF .