

Recommendation Report for Planning Permission

REF NO: BR/204/18/PL

LOCATION: Bath House
9 The Steyne
Bognor Regis
PO21 1TX

PROPOSAL: Replacement of PVCu window to Flat 1 with timber framed window, alterations to existing external entrance to Flat 6, installation of wrought iron gates to bin store, installation of fire alarm system & fire doors to communal areas & restoration (decorative) works to exterior of building, communal area & Flat 6. This application affects the character & appearance of The Steyne, Bognor Regis Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	External and internal alterations to the building, comprising: replacement of UPVC window in flat 1 with timber framed window, alterations to existing external entrance to flat 6, Installation of wrought iron gates to bin store area, installation of fire alarm system and fire doors to communal areas, substantial repair works to Flat 6, minor repair works to Flat 5 and other restoration works to exterior of building, communal area and Flat 1.
SITE CHARACTERISTICS	The site comprises the listed building, known as Bath House, 9 The Steyne, Bognor Regis, which is an 1820s villa over 3 storeys and basement. The building has been subject to internal and external alterations in the past, including rear extension. It sits within the Steyne Conservation Area and is currently sub divided into flats, some which are vacant and some which are tenanted.
CHARACTER OF LOCALITY	9 The Steyne, is one of several listed buildings within the Steyne Conservation Area. The Steyne forms two terraces fronting a formal landscaped garden with stucco, bay windows and balconies being prominent features. It is a distinctive and discrete area with a variety of architectural finishes but with overarching linking elements.

RELEVANT SITE HISTORY

BR/296/92/L	Application for Listed Building Consent for demolition of existing garage (in poor condition structurally). Construction of new 1 bedroom flat over parking area, providing rear access to Bath House, 9 The Steyne.	ApproveConditionally 07-01-93
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BR/241/92/L	Application for Listed Building Consent for general refurbishment,including lowering basement floor,enlarged windows etc. Conversion of accommodation to reduce no.of units from 13 bedsit/flats to 8 flats. Demolition of rear sub-standard 2 storey section inc.staircase,rebuilding rear to form 2 new flat units (included in above 8 units)	ApproveConditionally 02-12-92
BR/240/92	General refurbishment of Listed Building to satisfy public health and fire officers requirements. Reduction of internal accommodation from 13 bedsit/flats to 8 flats. Demolition and rebuilding of 2 storey rear section.	ApproveConditionally 02-12-92
BR/295/92	Demolition of existing garage (in poor condition structurally). Construction of new 1 bedroom flat over parking area, providing rear access to Bath House, 9 The Steyne.	ApproveConditionally 07-01-93

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Committee - No objection

ADC Conservation Officer - The applications comprise a substantial amount of work which aims to improve the appearance of the building, whilst allowing it to be fully inhabited. The external works appear to be acceptable subject to the use of colours and material being on a like for like basis. The side passage is visible from the Steyne and the proposed replacement of the boarded door to flat 6 with a window and masonry is considered will have a positive impact upon the appearance of the listed building but details will need to be provided by way of condition.

The works are substantial in nature, but are such that the building can be brought back in to full use, whilst also improving the character and appearance of both the building and the conservation area. The proposal can therefore be supported in accordance with the relevant policies in the adopted Arun Local Plan.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

Bognor Regis Neighbourhood Plan 2015 Policy 4 Reducing underuse of property in the town centre

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.

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.

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 relevant policies in the Bognor Regis Neighbourhood Plan have been considered in determining this application.

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, and it would have a positive 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.

CONCLUSIONS

Policies within the adopted Local Plan state that permission/consent will only be granted if development proposals conserve or enhance the historic environment (HER SP1), that the special characteristics of a Listed Building are preserved (HER DM1) and where the character and appearance of the Conservation Area will be preserved or enhanced (HER DM3).

The proposed works within flat 1 are cosmetic, not requiring planning permission. Some of the works in flat 5 require consent. Flat 6 is suffering from significant damp from a past flooding event and therefore is being subject to major refurbishment works. There is no new floorspace created or lost as a result of the development. Only refurbishment and repair works are proposed to the communal areas and Flats 1, 5 and 6 and to the exterior of the building.

The layout of the building and the flats will remain unchanged, with the exception that the external entrance to Flat 6 will no longer serve as an entrance to the flat and will be bricked up with a window to be inserted in place of the door. Instead, entrance to the flat will be gained by the existing internal entrance which also serves flats 7 and 8.

The building is a designated Heritage Asset by virtue of its grade II Listing and is also located within a Conservation Area. The appearance of the building will be lifted through the refurbishment of its exterior, including the restoration of windows, repair of render and painting of the building using existing colours.

The proposed works will revive a tired building and respond as appropriate to requirements within Building Improvement Notices to the communal areas and to Flat 6. It will also bring the basement flat back into use. Externally, the proposed works will have a high positive impact in terms of the external appearance of the listed building and the conservation area within which it sits.

The side of the building is less prominent but still visible from The Steyne and the repair of the entrance way and replacement of UPVC window with a timber framed window and restoration of the other timber framed windows will also have a positive impact.

Overall, the works are considered to have a positive impact on both the Conservation Area and the Listed Building.

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 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:

- Location Plan 100
- Site/Block Plan 101
- Existing Flat 6 102
- Existing Flat 5 103
- Proposed Flat 6 104B
- Proposed Flat 5 105
- Existing Bin Store 106
- Proposed Bin Store 107

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

- 3 Prior to the first occupation of the property, the following details shall be submitted to, and approved in writing by the local planning authority;

- Means of enclosure to the bin store
- Proposals for the replacement of the stair case to flat 1 on drawing number 1342 104

- Window on the south elevation serving the stair case

The approved details shall be implemented and permanently maintained.

Reason: In the interests of the preservation of the historic character of the Listed Building in accordance with policy HER DM1 of the Arun Local Plan.

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.