

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

REF NO: BR/236/19/L

LOCATION: Culver Cottage
37 Aldwick Road
Bognor Regis
PO21 2LN

PROPOSAL: Single storey side extension including demolition of existing garden room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to demolish an existing garden room and construct a single storey extension to the side of the property.
TOPOGRAPHY	Predominantly flat.
TREES	There is a tree situated to the south west of the site, however no works are proposed to it. As the site falls within the Conservation Area consent would be required.
BOUNDARY TREATMENT	Flint wall to front and sides. Fencing to rear adjacent to the Sailing Club.
SITE CHARACTERISTICS	Grade II Listed property. The house is rendered and pointed cream. There is a lean-to garden room and single storey bathroom wing to the west of the site, a covered walkway to front door and a single storey pitched roof front extension.
CHARACTER OF LOCALITY	Mixed residential and shopping and close to sea front.

RELEVANT SITE HISTORY

BR/36/19/L	Listed building consent for a two storey side extension including demolition of existing garden room.	ApproveConditionally 10-07-19
BR/35/19/HH	Two storey side extension including demolition of existing garden room. This application affects the character and appearance of the Aldwick Road Conservation Area.	ApproveConditionally 10-07-19
BR/300/12/	Reinstatement of two chimney stacks & internal alterations.	ApproveConditionally 05-02-13

BR/128/12/L	Application for Listed Building Consent for reinstatement of 2 no. chimney stacks, removal of section of wall to form kitchen/dining room, removal of partition wall on landing & relocation of bathroom	ApproveConditionally 28-08-12
BR/170/01/L	Application for Listed Building Consent to take down and rebuild in a lime mortar 1:2 and a half, east boundary wall to match existing	ApproveConditionally 07-08-01

Relevant planning history noted.
An application for a two storey side extension was approved in July 2019.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection.

No representation received from nearby occupiers.

Conservation Area Advisory Committee provided no objection.

- The application will not an impact on the Conservation Area.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No comment received.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:

Conservation Area.

Grade II Listed Building.

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas
HERSP1 HER SP1 The Historic Environment

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.

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

PRINCIPLE

The application concerns works to a Grade II Listed Building. Given the building's listed status, any alterations should protect and enhance the special historic and architectural character of the building, and preserve its setting.

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include

preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, because the listed building is significant heritage asset proposals should protect the setting of these buildings.

Culver Cottage is an early 19th century Grade II listed detached Georgian property. It is two storeys, rendered with a hipped slate roof. The windows are wooden, sliding sash with their glazing bars intact. There is a Veranda with striped canopy on the ground floor, to the garden elevation of the property. An elongated porch leads from the road across the front garden area to the front door.

The property lies directly to the south of Aldwick Road and to the north of Bognor Regis Sailing Club, and is located within the Aldwick Road Conservation Area. This Conservation Area predominantly comprises of significant and imposing early 19th Century, Victorian and Edwardian terraces, representing an early westward extension of the seaside resort. The area also contains a limited number of detached houses, of which Culver Cottage is one.

No comments have been received from our Conservation Officer, however an application was approved in July 2019 for a larger scheme consisting of a two storey side extension.

Para 190 of the NPPF requires the LPA to consider the significance of the impact upon that heritage asset. With the current proposal similar in design to that which has been approved and the scheme being of a reduced scale, proposing only a single storey side extension, the application is considered acceptable and as a result is considered to not cause harm to the significance of the heritage assets or their setting and comply with HER DM1 and HER DM3 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and does not cause harm to the significance of the heritage assets or their setting.

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
- Location and Block Plan - 599-100
 - Proposed Site - 617-101
 - Proposed West Elevation - 617-108
 - Proposed South Elevation - 617-107
 - Proposed East Elevation - 617-106
 - Proposed North Elevation - 617-105
 - Proposed Roof Plan - 617-104
 - Proposed First Floor - 617-103
 - Proposed Ground Floor 617-102
 - Design and Access and Heritage Statement - 617-601 Rev A

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 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building 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.

- 4 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building 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.