

Recommendation Report for Planning Permission

REF NO: BR/242/20/PL

LOCATION: 51 Canada Grove
Bognor Regis
PO21 1DW

PROPOSAL: Access ramp. This application affects the setting of a Listed Building, affects the character & appearance of the Bognor Regis Railway Station Conservation Area & is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This proposal seeks to construct a new access ramp with railings to front of building and provide a set of double doors to match existing.
SITE CHARACTERISTICS	Two storey Grade II listed building with centralised tower section, there have been various alterations over the years. It is also located within a Conservation Area.
CHARACTER OF LOCALITY	The site is within the town centre of Bognor Regis opposite the listed Railway Station. The area is mixed with both commercial and residential uses nearby.

RELEVANT SITE HISTORY

BR/237/19/PL	Replace front window with doors to match opposite side with steps, removal of internal walls separating existing front counter & office area, removal of chimney & wall between first floor offices. This application affects the setting of a listed building & may affect the character & appearance of the Bognor Regis Railway Station Conservation Area.	ApproveConditionally 09-04-20
BR/238/19/L	Listed building consent for the replacement of front window with doors to match opposite side with steps, removal of internal walls separating existing front counter & office area, removal of chimney & wall between first floor offices.	ApproveConditionally 09-04-20
BR/178/16/NMA	Application for a non-material amendment following a grant of BR/109/15/PL to increase the rear means of escape to 1500mm with new access ramp; the west elevation to be pulled back by 595mm, the south	Approve 03-08-16

elevation by 205mm, the north elevation by 167mm with an increased chamfer to the fire stair.

Planning history noted.

REPRESENTATIONS

Bognor Regis Town Council - No comment as the Landlords of the property

Conservation Area Advisory Committee - No Objection. Work will have little effect on either the building or the area providing that the material for the handrail is of high quality and retains the style of wrought iron railings of the age of the building elsewhere in Bognor Regis.

6 letters of representation made by local community - Objection to proposals based on

- Cost to the community
- Negative effect on listed building
- Unnecessary work

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments have been noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Size of ramp is a concern although it has been designed not to remove any of the existing features. Provision of samples for paving and additional details of railings required. The eastern elevation indicates that the low wall will be painted black, it is not clear if the wall will be rendered or faced with bricks. When reviewing the southern and eastern elevations it would appear that the ramp would not be flush with the bottom of the door in order to provide level access. I am of the opinion that the proposal is such that the impact can be described as causing less than substantial harm with the harm level at the lower end of the scale.

COMMENTS ON CONSULTATION RESPONSES:

comments noted

POLICY CONTEXT

Designation applicable to site:

Listed Building

Bognor Regis Railway Station Conservation Area

2km Buffer for SSSI's

DEVELOPMENT PLAN POLICIES

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

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
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 2	Promoting the Seaside Identity

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 Bognor Regis Neighbourhood Plan

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) of the Planning (Listed Buildings and 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing

buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policies HER DM1 and HER DM3 relate to listed buildings and conservation areas and state that proposals must protect and if possible, enhance the setting of each.

Chapter 16 of the NPPF paragraphs 189, 192, 193 and 196 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and the its weight against public benefits of the proposal.

Bognor Regis does have a neighbourhood plan, Policies 1 and 2 are relevant to the application.

Key issues for consideration

- Appearance, high quality design
- Visual integration with building
- Effect on the adjacent listed building/ conservation area

Appearance

The ramp has been designed to merge where possible into the building and retain prominent features, like the canopy post. Although as noted by the Conservation Officer further details are required to control the overall look against the existing frontage, such as the details and colour of the railings, ramp surface materials and details of the brick plinth. All of which, if ignored, could lead to a discordance in appearance with the host building. The doors will utilise the existing opening and mirror the opposite side of the building and will provide balance to the frontage and as such will accord with D DM1 and D DM4 of Arun's Local Plan.

Visual Integration

The ramp will be in a primary position at the front of the building and will be visible from eastern and southern directions. The ramp will appear wide however it will not go any further forward than the existing steps and not produce a pinch point in the pavement. The ramp will be confined in line with the front elevation bulk and will therefore keep its influence contained rather than visually sprawling across the entire frontage. It is believed with the correct finished the ramp would appear in keeping with the existing building and as such accord with D DM1 and D DM4 of Arun's Local Plan.

Effect on Listed Building and Conservation Area

The site is in the Bognor Regis Conservation Area and is a Grade II listed building. Whilst the addition is large no of features will be lost in the construction of the ramp and with the addition of a set of double doors to the Southern part of the hexagonal entrance way will provide balance to the frontage. The alterations will have the desired effect of making the cinema more user friendly for disabled persons. As such the proposals accord with Policies HER DM1 and HER DM3 of Arun's Local Plan.

Paragraph 189 of the NPPF requires the LPA to consider the significance of the impact on the asset. Due to the addition of the ramp, the balance of the frontage and the retention of existing features it is considered that the proposal will bring about less than substantial harm on the building and its setting. If there is less than substantial harm on the heritage asset, it is necessary under para 196 of the NPPF to weigh this against the public benefit of the proposal.

Public benefits may include heritage benefits such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- Reducing or removing risk to a heritage asset
- Securing optimum viable use of a heritage asset in support of its long term conservation.

The long term conservation by retaining and enhancing the use of the working business and increased

accessibility to people with disabilities are public benefits that outweigh the less than substantial harm.

SUMMARY

The development is deemed to accord with the relevant development policies and as such 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 positive impact on protected characteristics. of disability and age.

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
 - Proposed floor plan P01
 - Proposed East Elevation P02
 - Proposed South Elevation p03
 - Block Plan BP01
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan.
- 3 Details of the paving to be used on the surface of the ramp and of the railings (including their colour) should be provided submitted to and approved in writing by the local planning authority

prior to their construction on site.

Reason: To enable the Local Planning Authority to control the development and character and appearance of the Listed Building in accordance with policy HER DM1 and HER DM3 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 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 National Planning Policy Framework.