

Recommendation Report for Planning Permission

REF NO: BR/290/18/PL

LOCATION: Wilton House
37 West Street
Bognor Regis
PO21 1FS

PROPOSAL: Removal and replacement of all existing windows and doors to front, rear and side elevations. Timber windows and doors to front elevation to be replaced with timber windows and doors to match the existing. Timber windows and doors to side and rear elevations to be replaced with PVCu windows and doors to match the existing in profile and pattern. This application affects the character & appearance of The Steyne, Bognor Regis Conservation Area & may affect the setting of listed buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to replace all windows from double glazed timber to double glazed PVCu at the rear and double glazed wooden at the front using matching profile and pattern.
BOUNDARY TREATMENT	Open to front and rear
SITE CHARACTERISTICS	Three storey pitched roof building providing residential accommodation.
CHARACTER OF LOCALITY	Mixed character/use area. Combination of residential and commercial.

RELEVANT SITE HISTORY

BR/116/57/B	Shopfront To Showroom	ApproveConditionally 09-07-63
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Planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

NO OBJECTION on the grounds that the replacements are sympathetically designed to match the existing profile.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Removal and replacement of all existing windows and doors to front, rear and side elevations from double glazed timber to UPVC windows & doors to match the existing in profile & pattern.

The property is a block of flats within the Conservation Area, and fronts directly on to West Street. The size of building means that it plays a significant role in the street-scene, and any alteration to it should be carefully considered.

Normally within Conservation Areas we try to support the use of traditional materials, such as wood, as this respects the character of the area and the buildings within them. This is especially true of those windows which face on to the public realm. As a consequence, any new windows should reflect the appearance/materials of those currently installed in the building.

It is considered that based on the information provided, that the windows proposed to be used appear to reflect the general appearance of those currently present within the building.

Whilst an explanation has been provided as part of the application, it is not considered that it adequately justifies why the existing windows cannot be replaced on a like for like basis. As a consequence, my preferred approach would be to use traditional materials to the public facing elevations of the property.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Since the comments were received the scheme has been amended so that the windows to the front will remain wooden.

POLICY CONTEXT

Designation applicable to site:

Within built up area

Conservation Area

DEVELOPMENT PLAN POLICES

[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
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 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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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 change of windows to the rear will have a neutral impact on the conservation area and wooden windows to the front will reflect those already in place.

LISTED/CA

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 site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policies 1 & 2 of the Bognor Regis Neighbourhood Development Plan are relevant.

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.

Policy HER DM3 seeks to preserve or enhance the character or appearance of Conservation Areas and lists 5 criteria against which applications will be assessed.

Policy 1 of the Bognor Regis Neighbourhood Development Plan states alterations to non-designated heritage assets should identify the significance of any affected heritage asset and assess any harm and benefit.

DESIGN AND VISUAL AMENITY

The windows are of a similar design to the existing windows - the key difference being a change of material to those at the rear.

The proposed development is considered to be in accordance with D DM1, D DM4 and of the Arun Local Plan in terms of design and visual amenity.

IMPACT ON CONSERVATION AREA

The building lies within the Conservation Area where there is a requirement to preserve or enhance the area. The Conservation Officer has raised some concerns about the use of PVCu materials on the front elevation however no objection is raised to those on the side/rear. The scheme has been changed to reflect these concerns

The proposal is therefore considered to comply with HER DM3 as the principal elevation of the building will remain with wooden windows and the conservation area will have its character preserved.

NEIGHBOURING RESIDENTIAL AMENITY

The windows would replace existing ones and therefore residential amenity remains unchanged.

The proposed development is deemed to be in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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:-

0005-WH-PA-02 Existing and Proposed elevations
 0005-WH-PA-03 Existing and Proposed elevations
 0005-WH-PA-04 Existing and Proposed elevations
 0005-WH-PA-05 Existing and Proposed window details FEB 19
 0005-WH-PA-06 Existing and Proposed door details FEB 19

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM3 of the Arun Local Plan.

- 3 **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.