

Recommendation Report for Planning Permission

REF NO: BR/294/18/PL

LOCATION: University Of Chichester
Upper Bognor Road
Bognor Regis
PO21 1HR

PROPOSAL: Re-develop building into a multi faith centre for prayer & reflection. Addition of a steel gateway through the existing modern repair on the wall and repairing the significant Bognor Rock either side of this. This application affects the character and appearance of Upper Bognor Road & Mead Lane Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Use of building as multi faith centre and minor internal alterations that include the removal/insertion of partitions. Removal of part of the existing wall to create a gated entrance. Provision of canopy over new entrance door.
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	Detached two storey listed building.
CHARACTER OF LOCALITY	University Campus on edge of the town.

RELEVANT SITE HISTORY

BR/295/18/L	Listed building consent for addition of a steel gateway through the existing modern repair on the wall and repairing the significant Bognor Rock either side of this.	ApproveConditionally 25-02-19
BR/186/18/L	Listed building consent for the demolition of boundary wall & associated/linked 20th century outbuildings	ApproveConditionally 06-11-18
BR/317/08/L	Application for Listed Building Consent for the raising of door head, adjusting opening of door, forming level landing internally, forming DDA compliant ramp externally to main entrance to south elevation.	ApproveConditionally 24-12-08
BR/70/08/L	Application for Listed Building Consent for refurbishment of existing redundant house to provide general staff offices.	ApproveConditionally 05-06-08

History noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

Environmental Health

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Conservation Officer:-

Part one: change of use, and associated development to create a multi faith centre for prayer & reflection.

The change of use is considered to be acceptable, as it will allow the building to remain in constant use. Minor work are proposed to the interior of the building to create two cloakrooms. Such alterations are small in scale, and will not harm the significance of the building.

Of note is the replacement of a window with a door. It is suggested that the opening had in fact been larger to accommodate a door. As a consequence, the proposal is acceptable, subject to the design of the door.

The small canopy is potentially problematic in that does not necessarily reflect the character of the building. A smaller lead covered porch could be more acceptable.

Raising the ground level around the new door to prevent the need for steps into the building and to allow for a ramped access for disabled access can be supported.

It is requested that a door design is prepared which reflects the shape of the opening, as opposed to using a standard door if possible. Details of the door should be provided for by way of condition.

Part 2: the addition of a steel gateway through an existing modern repair on a stretch of wall, along with works of repair to the significant Bognor Rock either side of this.

The works to the wall will involve the creation of a new opening within an existing wall. This wall was historically constructed using 'Bognor Rock'; a local building material that is fairly scarce and of great significance locally. I note that the wall has been very badly repaired in the past with sections of the

material being replaced with a basic, modern brick. Such a repair is unsympathetic and harms the significance of the wall.

I note that the proposal for the new opening is to remove some of this unsympathetic work, and a limited section of the 'Bognor rock' material. The removal of the bricks will be a positive action and can be supported, as is the retention of the 'Bognor rock' for further repairs to the wall.

The provision of the opening will not harm the significance of the wall, as the entire structure can still be read in its context. Further, such an opening is a characteristic of the walling on the site. I note that the design of the gate reflects another one found locally. Whilst reflecting an existing gate is acceptable, a more sympathetic design would also be supported.

Environmental Health:-

No objection

COMMENTS ON CONSULTATION RESPONSES:

Noted. A condition relating to the door was imposed on BR/295/18/L

POLICY CONTEXT

Designation applicable to site:

Listed building

Conservation Area

Within built up area boundary

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
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.

Policy 1 and 8j of the Bognor Regis Development Plan is considered relevant. Policy 8j discusses wider issues relating to the campus and is not specifically related to this building whereas policy 1 discusses changes to designated heritage assets.

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 development by reason of its use and amended elevations would not cause demonstrable harm to amenities of nearby residents or the character of the area..

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

The proposed use is acceptable within the grounds of an existing campus and is not considered to generate a level of activity or additional traffic such that there would be an increase in car based trips. The changes to the internal and external features of the listed building are modest and already benefit from Listed Building Consent.

The building is set well within the grounds of the campus and the use would not cause demonstrable harm to the nearest residential properties which are located some distance from the building.

The changes to the external appearance would not result in any adverse harm to neighbouring properties

due to overlooking, over bearing etc.

The Conservation Officer has not objected to the proposal and a condition was added to the listed building consent to reflect his concerns about the door.

The changes to the building are not considered to harm the character or appearance of the Listed Building or on the appearance of the Conservation Area and therefore comply with HER DM1 and HER DM3 of the ALP.

Given that the proposal complies with relevant development plan policies it is therefore recommended that the application be approved subject to the conditions overleaf.

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 the protected characteristics (religion).

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 plans, proposed elevations, plans detailing works to wall.

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