# PLANNING APPLICATION REPORT

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| DESCRIPTION/ ADDRESS | - | Redevelopment with 51 sheltered apartments for the elderly with lodge managers accommodation, communal facilities, access car parking and landscaping.<br>Ingleby Lodge, Upper Bognor Road, Bognor Regis |

## THE SITE AND ITS SURROUNDINGS

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|---|---|
| DESCRIPTION OF APPLICATION | The proposed development comprises of 51 apartments in a mix of 37 x 1 bed and 14 x 2 bed units. The building is predominantly 3 storey with the rear (north) elevation reducing to 2 storey stepping back. Access to the site is from Upper Bognor Road and 16 car parking spaces have been provided. The buildings are designed as a Georgian terrace affect to mirror Spencer Terrace. There are 3 blocks around the car parking area with a further block to the north comprising 3 and 2 storey. |
| SITE AREA | 0.32 hectares |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | 159 dwellings per hectare |
| TOPOGRAPHY | Slightly rising land from south to north. |
| TREES | Mainly ornamental trees. None of particular significance. |
| BOUNDARY TREATMENT | Flint and brick wall to frontage of access. Close boarded fencing removed and hoardings erected. |
| SITE CHARACTERISTICS | Mainly 2 and 2½ storey mock Tudor buildings – 1920-30s. A number of flat roofed single and 2 storey extensions. Previously used as a rest/nursing home, now empty. |
| CHARACTER OF LOCALITY | Residential – mainly 2 storey surrounding site. 3 storey on opposite side of the road. |

## RELEVANT PLANNING HISTORY

| REFERENCE | DESCRIPTION | DECISION |
|---|---|---|
| BR/311/04 | Demolition of 22, 24 26a Upper Bognor Road, comprising Ingleby Lodge and erection of 52 sheltered apartments (Category II) for the elderly, house managers accommodation and ancillary facilities in two blocks. | Refused 05.11.04 Appeal Lodged |
| BR/312/04/CA | Application for Conservation Area Consent for demolition of 24 and 26a Upper Bognor Road, comprising Ingleby Lodge. | Refused 05.11.04 Appeal Lodged |
| BR/69/05 | Demolition of Ingleby Lodge and erection of 37 sheltered apartments (Category II) for the elderly, house manager's accommodation and ancillary facilities in one block. (Re-submission following BR/311/04). | Approved Conditionally 08.06.05 |

**RELEVANT PLANNING HISTORY**

| REFERENCE | DESCRIPTION | DECISION |
|---|---|---|
| BR/70/05/CA | Application for Conservation Area Consent for demolition of 26A Upper Bognor Road comprising Ingleby Lodge and conservatory and single storey rear wing to 24 Upper Bognor Road. (Re-submission following BR/312/04/CA). | Approved Conditionally 08.06.05 |

**REPRESENTATIONS RECEIVED**

| SOURCE | SUMMARY OF CONTENT |
|---|---|
| Bognor Regis Town Council | No objection |
| Local Groups | None |
| 10 letters of objection<br>12 standard letters of objection | - Adverse impact on Conservation Area<br>- Unsatisfactory design<br>- Insufficient car parking<br>- Not an accessible site in terms of public transport<br>- Overdevelopment<br>- Lack of Open Space<br>- Loss of trees and hedges<br>- Unneighbourly<br>- Inadequate foul and surface water drainage<br>- Need for infrastructure requirements<br>- Too high<br>- Risk of flooding<br>- Existing buildings should not be demolished<br>- Contrary to Policies DEV3, DEV5, ERA3, CH8 of Structure Plan<br>- Noise |
| 2 Letters of support | Two properties to Upper Bognor Road should be demolished. |

**CONSULTATION RESPONSES**

| CONSULTEE | SUMMARY OF RESPONSE |
|---|---|
| County Planning Officer | No strategic objection. Library contribution required. |
| County Highways | No objections from highway point of view. |
| Environment Agency | No objections in principle. |
| Southern Water | No objection. |
| Police | No objections in principle but would need to be subject to a number of detailed conditions with regards to security. |
| Conservation Area Advisory Committee | Objection<br>- Out-of-character with the Conservation Area and Hotham Estate.<br>- Damaging and overbearing design. |

**CONSULTATION RESPONSES**

| CONSULTEE | SUMMARY OF RESPONSE |
|---|---|
| | - No. 22 and 24 Upper Bognor Road should be retained. - Contrary to Council Policy. |
| English Heritage | The proposals are essentially a pastiche, related to the form and style of the terraces opposite, if such a style is the course of action here the applicants wish to pursue, then more attention to authentic detail and form, fenestration pattern and materials are needed. I also reiterate that the proposals should relate rather more to the curve of the road. The spatial relationship of a series of blocks with respect to the main road is not convincing, such terrace style designs would have been highly unlikely to have been set out in the form currently suggested. Overall, it is not considered the scheme improves upon the character of the Conservation Area. |
| District Council's Conservation Officer | I agree with English Heritage's comments. If the style is to be pursued then there needs to be more attention to detail and form in an authentic way.<br><br>The loss of 22 - 24 Upper Bognor Road is unacceptable since they make a positive contribution to the character, appearance and setting of the Conservation Area.<br><br>The scheme is an overdevelopment of the site detracting from the character and appearance of the Conservation Area. |
| District Council's Environmental Health Officer | It appears that the footprint of the development has been moved closer to the road and hence road noise will have a greater impact on the S façade of the building. I would suggest a further assessment of the impact of road noise on the development is requested.<br><br>Should the S façade of the development remain within NEC category C the internal noise environment of the development should be protected by appropriate conditions. Design and layout of the development may also influence the impact of noise.<br><br>In view of the current residential status of the site I could not support refusal of permission on noise grounds alone if the development remains in NEC C. |
| District Council's Landscape Section | The revised layout shows an improved landscape design and addresses the loss of planting at the boundary shown on the previous layout. However, a detailed landscape plan showing plant type, numbers and spacing is required to ensure that a high quality landscape is achieved. |

**POLICY CONTEXT**

| DESIGNATION APPLICABLE TO SITE |
|---|
| Within Built-up Area Boundary<br>Within Designated Conservation Area (most of site)<br>Class 'A' Road<br>Class 'C' Road |

**DEVELOPMENT PLAN POLICIES**

West Sussex Structure Plan : LOC1, NE2, NE17, CH1, CH4, ERA1, DEV1, DEV5, ERA5.
Arun District Local Plan : GEN1, GEN2, GEN7, GEN8, GEN9, GEN11, GEN12, GEN18, GEN32, AREA2

**PLANNING POLICY GUIDANCE**

PPS 1 - Delivering Sustainable Development
PPG 3 - Housing
PPG 13 - Transport
PPG 15 - Planning and the Historic Environment
PPG 24 - Planning and Noise

**POLICY COMMENTARY**

The above policies combine to give the Development Control criteria against which applications of this nature will be judged that is the effect on the Conservation Area, the effect on the residential and visual amenities of the area, the effect on highway safety, and the effect on the proposed noise to prospective residents.

**COMMENT ON CONSULTATION RESPONSES**

None

**COMMENT ON REPRESENTATIONS RECEIVED**

It is agreed that the Nos. 22 and 24 contribute to the Conservation Area and its setting and should not be demolished. It is also agreed that the proposal is an overdevelopment of the site that would be out-of-character with the area. The new units to the north would also be unneighbourly to Tudor Court and 16 and 18 Upper Bognor Road by reason of overbearing, overshadowing and overlooking. The County Surveyor is satisfied with the amount of car parking spaces being provided and that the development would not cause a hazard to highway users.

**ASSESSMENT OF PROPOSAL**

**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 conflict with relevant Development Plan policies in that the proposal is considered to conflict with relevant Development Plan policies in that it would be an overdevelopment of the site that would adversely affect the visual and residential amenities of the area, and does not meet the terms of the PPG 24 with regards to noise pollution to proposed residents. It would also adversely affect the character of the Conservation Area.

In this case policy issues for consideration include:

(The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

*"In the exercise, with respect to any buildings or other land in the 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".)*

## 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 site lies within the built-up area as defined in the Arun District Local Plan where the principle of residential development is acceptable subject to normal Development Control criteria being met. A majority of the site also lies within the designated Upper Bognor Road and Mead Lane Conservation Area. No. 22 Upper Bognor Road lies outside the Conservation Area.

PPG 15 indicates that there must be a valid justification for the demolition of existing buildings in a Conservation Area in order to override the presumption in favour of preservation. It is considered that No. 24 Upper Bognor Road makes a positive contribution to the Conservation Area and that No. 22 makes a positive contribution to the setting of the Conservation Area by reason of the detailing on the street elevations in particular.

The proposals themselves will be an overdevelopment of the site with little amenity space for the residents and close to the road frontage. This is not in character with the area where existing buildings are set back from the road and have private amenity space for residents. The blocks to the north will by reason of overshadowing be unneighbourly to the residents of Tudor Court, especially No.1 and the occupants of Nos. 16 and 18 Upper Bognor Road. The blocks are only approximately two metres from the boundaries of these properties and they contain lounge, kitchen and bedroom windows.

The Environmental Health Officer is concerned with the effect of noise from the road on the potential residents and no noise survey has been submitted.

The County Surveyor does not consider that there will be a material increase in vehicular activity to and from the site and that the level of parking proposed is adequate. He therefore, raises no objection to the proposals.

There is a requirement from the County Council for a contribution towards library facilities.

It is, therefore, recommended that the application be refused for the reasons set out overleaf:-