

Recommendation Report for Planning Permission

REF NO: BR/32/25/PL

LOCATION: Trevali Lodge
31 Aldwick Road
Bognor Regis
PO21 2LN

PROPOSAL: External changes, amendments to fenestrations and re-building the garden wall. This application is in CIL zone 4 (zero rated as other development), may affect the setting of listed buildings and may affect the character and appearance of the Aldwick Road, Bognor Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
BOUNDARY TREATMENT	Low boundary wall to the front and tall boundary wall to the rear.
SITE CHARACTERISTICS	The site is occupied by a two-storey semi-detached dwelling of brick and render construction with clay tiled roof, front bay windows, hipped and flat roofs with decorative ridge tiles, timber sliding sash windows with some uPVC casement windows having been installed over time. There is a limited front amenity space, a rear hardstanding amenity space and parking spaces along the east of the plot. It forms a semi-detached pair with its neighbour (No. 33), but has been extended and appears to be in somewhat of a state of disrepair.
CHARACTER OF LOCALITY	The site lies within the Aldwick Road Conservation Area which is characterised by early 19th Century, Victorian and Edwardian terraces, that convey the early westward extension of the seaside resort. The material palette of the Conservation Area is predominantly render, slate, and flint, but although there is a formality in the larger terraces these terraces contrast in materials, scale and style with nearby smaller buildings that include the use of brick and clay tiles.

RELEVANT SITE HISTORY

BR/209/24/PL	Alterations to external finishes and fenestrations. This application is in CIL zone 4 (zero rated as other development), may affect the setting of listed buildings and may affect the character and appearance of the Aldwick Road, Bognor conservation area.	Refused 21-01-25
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BR/209/24/PL - This application sought various changes to the host dwelling but was refused on heritage and design grounds. The current proposal is a resubmission of this previous application with revisions and the inclusion of the rebuild of a former boundary wall.

REPRESENTATIONS

Bognor Regis Town Council - No Objection.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Panel - Objection:

- The existing windows on the principal facade are painted timber vertically sliding sashes and important traditional features which should be repaired or replaced 'like for like'.
- The loss of such traditional features is detrimental to the appearance of a conservation area.
- The replacement UPVC vertically sliding sashes will detract from the appearance of the property and the conservation area.
- Concerns regarding the potential for white UPVC fascia, soffits, and gutters.
- Concerns regarding the loss of the flint boundary wall and that the replacement with a brick wall is insufficient.
- A sample panel of flint walling should be provided if agreed.
- Welcome some of the changes made since the last application but the proposal is still detrimental to the appearance of the building and the conservation area.

Conservation Officer:

- It is positive that the external walls of the house will no longer be altered, and that repairs would be undertaken to the existing materials.
- Appropriate and matching materials should be used.
- The use of UPVC windows is disappointing and their opening mechanism and appearance is unclear.
- If you UPVC is found acceptable, a condition for further details is suggested.
- The former flint wall was attractive and the reason for its loss is unknown.
- If the new wall cannot be constructed using individual flints, then the use of bricks might be acceptable in this instance subject to condition.
- On balance, the proposal could have a neutral impact and, therefore, in this particular instance, not cause harm to the significance of the heritage asset.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The boundary wall to be rebuilt has been revised to reflect the use of flint and lime mortar.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary.
 Aldwick Road Conservation Area.
 2km Buffer for a Site of Special Scientific Interest.
 Pagham Harbour Zone B.
 Article 4 Direction.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
QESP1	QE SP1 Quality of the Environment
HERSP1	HER SP1 The Historic Environment
HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas

Bognor Regis Neighbourhood Plan 2015 Policy 8A Design Excellence

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD2	Conservation Areas
SPD9	Buildings or Structures of Character

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 it would not result in harm to the visual amenities of the area and would preserve the significance of the heritage assets.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

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 complies with these criteria in that it would not result in further harm to the special character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

AMENDMENTS & CLARIFICATION

During the lifetime of the application, the boundary wall to be rebuilt has been amended from brick to flint, and clarification has been given with respects to the proposed fascia, soffits, and gutters in that they are all to match the existing building.

PRINCIPLE

The proposal is located within the Built-up Area Boundary where the principle of development is acceptable subject to consideration of relevant Development Plan policies in accordance with Policy SD SP2 of the Arun Local Plan (ALP).

CHARACTER & DESIGN

The proposal seeks various alterations to the external elevations, including the repair of the existing render and brickwork, the replacement of the existing windows with white UPVC vertical sash style windows, the installation of rear bifold doors, the replacement of existing soffits, fascia, and gutters, and the rebuilding of a former flint wall along the eastern side site boundary.

The repairs to the existing ground floor brickwork and first-floor render are welcomed, and the replacement of the existing gutters, fascia, and soffits with matching components is acceptable.

The replacement of the painted timber vertical sliding sash windows with white UPVC alternatives is an unfortunate loss of the original character of the building, however, the harms are limited due to the proliferation of white UPVC windows within the immediate vicinity and on the adjoining neighbour building which appear to have emerged over the years and now inform the immediate context of this unit. As such, the replacement of these windows with UPVC alternatives of a suitable design and style is accepted, and an appropriate condition to secure and control the details of these units has been attached.

The rebuilding of the flint wall to the east side of the plot is appropriate and welcomed. Whilst the reasoning for the loss of the former wall is unclear, subject to appropriate condition, the flint walling can be reconstructed to an acceptable quality to remediate the harm caused by the loss of the former wall.

The rear bifold doors are a significant contrast to the limited openings of the buildings former state, however, they remain would mostly concealed from the wider public realm and read within the context of UPVC fenestrations of neighbours to the rear. This component is acceptable.

The proposal would have some impact of the visual amenity of the property and wider locality, but no significant harm. The proposal is in accordance with policies D SP1, D DM1 & D DM4 of the ALP.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal would not result in any increase of scale, nor would it result in any new openings on the property with the exception of the rear bi-fold doors. The rear bi-fold doors open up to the rear amenity space and a tall boundary wall. The proposal would not result in any adverse overbearing or overshadowing impacts, nor any unacceptably adverse overlooking impacts on neighbouring properties, or between, the host site and neighbouring properties.

There would be no unacceptable emittance of internal light by virtue of the large rear bifold doors that would give rise to excessive or harmful light pollution with regard to neighbouring properties.

The proposal is compliant with policies QE SP1, D DM1 & D DM4 of the ALP with respects to neighbouring residential amenity.

HERITAGE

Paragraph 207 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting and should be sufficient to understand the potential impact of the proposal on their significance. This has not been achieved in full by the submitted heritage statement however, the Local Planning Authority are comfortable in determining this application despite this.

Paragraph 208 of the NPPF requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).

Paragraph 212 of the NPPF requires Local Planning Authorities to consider the impact of a proposed development on the significance of a designated heritage asset, affording great weight to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 216 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application, and for the LPA to make a balanced judgement with respects to applications that directly or indirectly affect non-designated heritage assets, having regard to the scale of any harm or loss and the significance of the heritage asset.

The site is within the Aldwick Road Conservation Area and is adjacent to, and within the setting of, multiple Non-Designated Heritage Assets (Locally Listed Building of Special Character). These are 1 & 2 Rock House, 1 & 2 Rock Cottage, and 1A Marine Parade. The applicant's Heritage Statement covers only the applicant's view as to the impacts on the Aldwick Road Conservation Area, and fails to identify the Aldwick Road Conservation Area specifically, or its significance.

The Aldwick Road Conservation Area comprises significant and imposing early 19th Century, Victorian and Edwardian terraces that represent the early westward extension of the seaside resort. Generally, there is a predominance of stucco, slate and flint in, and although there is a formality in the larger terraces, these contrast in materials, scale and style with nearby smaller buildings (which also include

brick). Flint walling and soft landscaping provide an informal appearance, contrasting with, and enhancing the principal terraces. Chimneys are important features on the skyline.

ADC's Buildings or Structures of Special Character Supplementary Planning Document (September 2005) sets out five criteria that give reason for the designation of Locally Listed Buildings of Special Character and they are as follows:

- 1) Buildings of outstanding design, detailing, appearance, or special interest because of the use of materials.
- 2) Buildings which are extremely good examples of traditional or established style, or unusual type.
- 3) In special cases, buildings or structures which contribute towards the local townscape or have important historical associations.
- 4) All buildings must be largely intact and not adversely affected by later extensions or alterations.
- 5) Preferably, although not exclusively, they should make a positive contribution to their surroundings or the street scene.

1 & 2 Rock House, 1 & 2 Rock Cottage, and 1A Marine Parade (Identified in the Local List as 1A Anton Cottages), are designated by virtue of criteria 2-5. This identifies their significance and is evidence of their positive contributions to the townscape and surroundings. Whilst they are primarily viewed from the Marine Parade, a low traffic route, they remain visible from and within from Aldwick Road and within the context of the host site.

The proposal represents a generally limited visual alteration of the external appearance of the building with the exception of the replacement windows and the rear bifold doors. The rear bifold doors would be mostly concealed from the public realm and the wider Conservation Area and would have negligible impact on its significance. The replacement windows are to be of a white UPVC vertical sash style and as a result, this would result in the loss of the existing timber vertical sliding sash windows that form part of the original character of the building, which is unfortunate. It has been advised that this may be detrimental to the significance of the Conservation Area, and in principle, this is not disagreed. However, within the immediate context of the building, both inside and out of the Conservation Area, it appears that a proliferation of similar UPVC fenestrations has emerged over time, perhaps without the benefit of planning permission, including on the adjoining neighbour of the pair. The proposed replacements, subject to appropriate details being controlled by way of condition, will have no further harm to the established character of this particular section of the Conservation Area. Had the proposal come forward in other parts of the Conservation Area where original timber fenestrations remain in dominance and form a particularly strong and positive part of the character of the area, such a proposal would not likely have been acceptable.

The rebuilding of the side boundary wall is positive. It had originally been proposed to be of brick construction however, following agreement, it has been agreed to consist of individual flints and lime mortar with rounded render coping which is reflective of the former boundary wall and subject to appropriate condition, would be of an appropriate detail. Whilst the reasoning for the loss of the former wall is unclear, it is positive that the wall is now to be replaced.

The proposal would have a neutral impact on the significance of the Conservation Area and the neighbouring Non-Designated Heritage Assets and as such, it is in accordance with Policies HER SP1, HER DM2 & HER MD3 of the ALP, and the relevant paragraphs of the NPPF.

SUMMARY

The proposal is in accordance with relevant Development Plan policies and as such, it 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 neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

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 Block Plan 4090/01/04 (Dated: April 2024).
- Existing and proposed elevations and roof plan 4090/01/06 (Accepted: 15/04/25).
- Ground floor proposed 4090/01/02 (Dated February 2024).
- First Floor Proposed 4090/01/03 (Dated: February 2024).
- Email correspondence confirming details of soffits, fascia, and gutters etc. (Dated: 16/04/25).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1, D DM4, HER SP1 & HER DM3.

- 3 Prior to their insertion, details of the windows and external doors, including their

design/appearance (including elevation), specification, method of opening, in the form of drawings and sections of an appropriate scale, shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, the windows and doors shall be installed in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail by endeavouring to achieve a building of acceptable visual quality in accordance with Policies HER SP1 & HER DM3 of the Arun Local Plan.

- 4 Prior to the erection of the replacement flint garden wall, a 1 square meter sample panel of the proposed walling shall be constructed on site. This section will then be inspected by the Local Planning Authority's Conservation Officer, and photographic evidence of the sample panel, including details of the mortar mix will be submitted to and approved in writing by the Local Planning Authority. Once approved, the replacement flint wall can proceed, and the details so approved shall be used for its construction.

Reason: To preserve the appearance and special character of the Conservation Area in accordance with Policies HER SP1 & HER DM3 of the Arun Local Plan and the NPPF.

- 5 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 6 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.