

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition**REF NO:** BR/91/17/L**LOCATION:** 15 Scott Street
Bognor Regis**PROPOSAL:** Application for Listed Building Consent for removal of existing double door & window of existing single-storey rear extension to accommodate a patio door & erection of upper floor extension above existing single-storey extension. The existing dormer will be reduced accommodate the proposal.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Reduction in width of existing rear dormer, gable roof first floor rear extension and new roof over existing rear extension. Replacement rear patio door.
SITE AREA	0.01 hectares.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	1.2m flint studded wall to each side boundary behind the property.
SITE CHARACTERISTICS	Two storey, Grade II listed mid-terraced cottage, set up to the footpath to front. Dormer windows to front and rear and rear garden. Property has an existing rear extension with flat and part lean-to roof.
CHARACTER OF LOCALITY	Residential. Formed of terraced dwellings, this terrace is all Grade II listed.

RELEVANT SITE HISTORY

BR/228/00/L	Application for Listed Building Consent to strip and re-slate roof per attached estimate (using spanish slates)	Inc Docs Ret'nd 20-09-2000
BR/243/05/L	Application for Listed Building Consent for small single storey extension to rear of property. Existing kitchen wall built off garden wall to be demolished and rebuilt due to it being unsafe. Existing roof line maintained through to new extension. Once works have been completed the area will be used as a kitchen and breakfast room. Proposed extension area to be 4sqm.	ApproveConditionally 31-08-2005

BR/91/17/L

BR/16/08/L	Application for Listed Building Consent to remove dormer windows & rebuild. Replace dormer windows 'like for like'. Replaster bedrooms 1 & 2, repair floor in bedroom 2 & replace sash window in bedroom 1	ApproveConditionally 27-02-2008
BR/75/11/L	Application for listed building consent for a first floor extension over existing ground floor kitchen extension	Refused 26-05-2011
BR/74/11/	First floor extension over existing ground floor kitchen extension	Refused 26-05-2011
BR/55/17/HH	Removal of existing double door & window of the existing single-storey rear extension to accommodate a patio door & erection of first floor extension above the existing single-storey extension. This application affects the setting of a Listed Building	ApproveConditionally 20-04-2017

BR/75/11/L refused consent for a larger first floor rear extension for the following reason:-

The first floor flat roof extension proposed exceed substantially that which would be acceptable as a means of conserving the listed building and the monolithic structure would detract from the special character of the Listed Building it thereby conflicts with PPS1 PPS5 Policies BE6 of the South East Plan and GEN7 of the Arun District Local Plan.

Planning permission for this development (BR/55/17/HH) has already been approved with conditions.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

Consultations responses received:

Historic Buildings Officer

No objection. (This comment was made following pre-app before application was made).

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Grade II listed building.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

Publication Version of the Local
Plan (October 2014):

HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

No Bognor Regis NDP policies are relevant to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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."

The proposal is considered to comply with these criteria in that it is considered to enhance and protect the character and setting of the Grade II Listed Building.

CONCLUSIONS

The development would reduce the size of the existing rear dormer window, which will improve the appearance of the listed building. Whilst this is on the rear of the dwelling, it will reduce the massing on the rear roof and show more of the original character of the dwelling.

The changes to the roof of the existing rear extension will decrease its unsympathetic height and add a lean to element which, whilst drawing on the design of attached property 14 Scott Street is more modest and in character with the host dwelling. This element also represents an improvement of this section of the property and the materials proposed are considered to be acceptable in relation to the host dwelling and other listed buildings of the terrace.

The first floor extension would mimic, almost exactly the first floor extension of number 14 Scott Street. However, this property is wider than number 14 meaning the extension appears more modest against the host dwelling than the extension at number 14.

The proposal is considered to meet the aims of emerging development plan policy DM1, NPPF and supplementary NPPG and it is recommended that conditional consent is granted.

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 works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:-

100A
101A
104A
105A
106A
108A

Reason: In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with the National Planning Policy Framework.

- 3 The materials and finishes of the windows, external walls and roofs of the development hereby permitted shall match in colour and texture those of the existing building.

Reason: In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with the National Planning Policy Framework.