

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition**REF NO:** BR/97/15/L**LOCATION:** 67-69 Upper Bognor Road
Bognor Regis**PROPOSAL:** Application for listed building consent for repairs to existing slate roof covering, removal of dormer roof to lean to roof, replacement 11 No. timber windows & 2 No. doors, repair/replace timber porches, repair to existing rendered elevations & replacement of cast iron rain water goods.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal seeks to bring the property up to a state of repair that can be managed and then in the future have a use within the university. The details are as per the above description.
SITE AREA	114 square metres.
RESIDENTIAL DEVELOPMENT DENSITY	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site is bordered by 1.8m high close boarded fencing and 2m high brick and flint walling.
SITE CHARACTERISTICS	No's 67 and 69 are a pair of semi-detached cottage style dwellings with part render, part red brick walls and a slate roof.
CHARACTER OF LOCALITY	The application site is positioned to the southeast corner of University College Chichester - Bognor Regis Campus Site. These grounds consist of a variety of buildings used for student accommodation and education. Spacious open amenity areas surrounding provide a pleasant character that retains the historic nature of the Conservation Area. The site is located to the north side of the A259, opposite the Butlins development.

RELEVANT SITE HISTORY

BR/67/04/L	Application for Listed Building Consent for alterations & refurbishment of existing residential dwellings to provide student	ApproveConditionally 21-04-2004
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accommodation.

BR/70/08/L	Application for Listed Building Consent for refurbishment of existing redundant house to provide general staff offices.	ApproveConditionally 05-06-2008
BR/68/08/L	Application for Listed Building Consent for refurbishment of existing redundant cottage to provide student accommodation	ApproveConditionally 05-06-2008

It is assumed that application BR/68/08/L was not implemented.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council - no objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

Consultations responses received:

Councils Historic Building Adviser - "No objection - on the basis that the windows are single glazed and copy existing. Please condition the following: (1) All window and door details; (2) Sample of rainwater goods (or image and details); (3) Detailed drawings for replacement porches; and (4) Method statement for repairs of render.

Conservation Area Advisory Committee would like to see conditions imposed

Comments on Consultation responses:

Comments noted. Appropriate conditions relating materials are proposed.

POLICY CONTEXT

Designations applicable to site:

Within Built up Area Boundary;
Grade II Listed Building;
Within Setting of Listed Building;
Conservation Area; and
Class 'A' Road.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) AREA2

Conservation Areas

[Publication Version of the Local Plan \(October 2014\):](#)

HER DM1 Listed Buildings
HER SP1 The Historic Environment

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The Bognor Regis Neighbourhood Plan has recently been out to consultation and will now be reviewed prior to submission to Arun District Council.

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 not considered to materially affect the character or the setting of the Grade II Listed Building.

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 property is a Grade II listed building located within the built up area boundary of Bognor Regis. Additionally it forms part of the existing Chichester University (Bognor Regis) campus. The proposals are required in order to make the building usable and to then allow future use by the university. This is an important point as ensuring that the building can be used will result in its long term protection and maintenance.

The proposed external alterations are considered to be acceptable and are sympathetic to the existing building. The Council's Historic Buildings Adviser (HBA) has appraised the proposal and has no objection subject to conditions.

It is therefore recommended that the application is approved, 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 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:- BRC_005_01 A

Reason: For the avoidance of doubt.

- 3 No development shall commence unless and until details of the construction and materials of all new external joinery (windows & doors) have been submitted to and approved by the Local Planning Authority and the new joinery so approved shall be constructed in accordance with approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with the National Planning Policy Framework.

- 4 No development shall commence unless and until either (a) a sample or (b) photographs and details of material/texture/colour of the replacement rainwater goods to be used in the renovation of the building have been submitted to and approved by the Local Planning Authority and the rainwater goods so approved shall be used in the renovation of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with the National Planning Policy Framework.

- 5 No development shall commence unless and until detailed drawings of the repaired/replaced porches have been submitted to and approved by the Local Planning Authority and the porches so approved shall be repaired/constructed in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with the National Planning Policy Framework.

- 6 No development shall commence unless and until a method statement regarding the repair of the render has been submitted to and approved by the Local Planning Authority and the repair of the rendering shall then proceed only in accordance with the approved method statement.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with the National Planning Policy Framework.