



Appeal Decision

Site visit made on 24 June 2019

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 22 July 2019

Appeal Ref: APP/C3810/W/19/3219856

Bradlaw House, 5 Sudley Road, Bognor Regis PO21 1EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Kamil Krakowski against the decision of Arun District Council.
 - The application Ref BR/52/18/PL, dated 16 February 2018, was refused by notice dated 8 August 2018.
 - The development proposed is change of use from mixed use consisting of Dental Surgery (D1 Non-Residential Institutions), night club (Sui Generis) & part residential (2 No. units existing) (C3 Dwellinghouse) to conversion to 8 No. flats with associated services (6 No. new units). This application may affect the setting of a listed building.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Kamil Krakowski against Arun District Council. This application is the subject of a separate Decision.

Preliminary Matter

3. I was unable to access the internal elements of the appeal property at the time of my site visit. However I am satisfied that I was able to see the property sufficiently from the public realm, assisted by the plans, to properly determine the appeal.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area, and whether the proposal would provide adequate living conditions for future occupiers.

Reasons

Character and appearance

5. The property is a substantial double bay villa, which accommodates a number of uses. Externally it retains many of its original features including the symmetrical arrangement on the front elevation and twin pitched roof. It is a dominant element of the street scene due to its location towards the end of Sudley Road, and there are long reaching views of it when walking along the road. On the opposite side of Sudley Road similar properties are interspersed

within the street scene, and this collectively enhances and reinforces the character and prominence of the appeal property, which is also designated by the Council as a building of local character.

6. The proposal would include the erection of a mansard roof to provide units 7 and 8, which would require the removal of the existing chimneys and modification of the twin pitched roof. There is limited symmetry proposed in the location of the windows on the front elevation of the roof, which would appear imbalanced and cluttered in comparison to the existing building and the windows on the floors below. The side elevations would provide some openings, however there are non-proposed on the south east elevation, which would simply highlight and draw attention to the bulk of the roof itself, sprawling across the top of this elegant, regal, building.
7. The use of a mansard roof as part of the development would appear as an oppressive and incongruous addition to the building. Whilst mansard roofs are seen within the wider street scene, including at the corner of Sudley Road and High Street, those buildings are larger in scale than the appeal property, and accommodate the mansard comfortably within the wider built form. This would not be the case for the appeal property, which would be dwarfed underneath the roof, and the proposal would result in significant harm to the character of the building. Due to its prominent location within the street scene the harm to the character of the building would have a wider impact, and subsequent harm, on the general character of the area.
8. The use of box like dormers within properties elsewhere along the road would not justify the style of mansard roof before me, the scale and mass of these alternative properties is not comparable to this proposal.
9. Accordingly, I find that the proposal would result in an incongruous and discordant addition to the street scene which would be harmful to the character of the building. It would therefore conflict with Policies D DM1 and D DM4 of the Arun Local Plan 2018 (the Local Plan) which, amongst other things, require extensions to be sympathetically related and visually integrated with the building.
10. The harm to the building of local character, as a non-designated asset, is something that I attach weight to and the proposal would conflict with Policy HER D DM2 of the Local Plan. Whilst the proposal would provide additional residential accommodation in a sustainable location, I do not consider that this would outweigh the considerable harm that this ill-conceived feature would result in. This harm would be exacerbated due to the locally recognised character of the building. The proposal would also be contrary to Policies 1 and 2 of the Bognor Regis Neighbourhood Plan which require proposals affecting a heritage asset to respond eloquently to the local built environment.

Living conditions

11. Of the 8 flats proposed, 5 of them would fail to meet national space standards. Three of those five flats would be 2 bedroom and therefore accommodate multiple residents. Whilst the age of the building restricts the layout of rooms the number of units proposed is clearly also a factor in determining how the habitable space could be provided. Whilst the national standards are guidelines, it is clear that in this case the scheme would be unable to accommodate the

number of proposed units in an arrangement that would provide suitable living conditions with regards to habitable floorspace.

12. Units 1 and 2, both of which would provide 2 bedrooms, would be located within the basement and due to the building's relationship with the street to the front I am not satisfied that these units would have an acceptable outlook for future occupiers. Units 7 and 8 would be located within the mansard roof and although the proposed windows would provide adequate levels of daylight and sunlight, the use of skylights only for some of the habitable rooms would fail to provide an adequate outlook for the future occupants of these units.
13. The waste storage would be located to the rear of one of the 2 bedroom units located within the basement. Both points of access would be via entrances which pass directly past the bedrooms of that unit. The use of waste facilities for 8 units by multiple residents would result in significant levels of disturbance for occupants of that unit.
14. Accordingly, I find that the proposal would not provide adequate living conditions for future occupiers. It would therefore conflict with Policies D DM1 and D DM2 of the Local Plan which require development to be sensitively designed and to provide a satisfactory environment.

Other matters

15. The scheme would bring the building in its entirety back into use and this would be a benefit. However, this benefit would not overcome the harm identified in my reasoning above.
16. Parking would be provided to the rear of the site, adjacent to the building and the rear boundary. The level of parking would meet the council's parking standards and the appeal site is located in a sustainable location with good access to public transport links and services. However, on the basis of the evidence it is not clear that the vehicles would be able to be manoeuvred within the space in order to actually properly utilise the parking area safely. Due to the location of the site it may be possible to reduce the level of parking in order to create more functional parking area. There are no such alternatives before me as part of this appeal, and in any event, this would not address the conflict identified in respect of the main issues.
17. The appeal site is located within 5 kilometres of the Pagham Harbour Special Protection Area and accordingly the provisions of the Habitats Regulations apply to the proposal with regards to the effect on the integrity of designated European sites. The appellant has submitted a planning obligation in respect of this matter. However, as I am dismissing the appeal on other grounds it is not necessary for me to consider this further.

Conclusion

18. The proposal would conflict with the policies in the development plan when considered as a whole. Whilst the benefits of the proposal would include the addition of residential units within a sustainable location, these material considerations as encouraged by the National Planning Policy Framework, do not overcome the harm to the character of the building and surrounding area and the scheme's failure to provide adequate living conditions for future occupants.

19. Therefore, for the reasons above and taking account all other matters raised, the appeal is dismissed.

J Ayres

INSPECTOR