

**Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition of a
Listed Building**

REF NO: BR/177/25/L

LOCATION: The Pier
The Esplanade
Bognor Regis
PO21 1SY

PROPOSAL: Listed building consent for the change of use of existing redundant storage building located at the South end of the pier to become a cafe/sauna.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks listed building consent for the change of use of a redundant storage building at the South end of the pier to become a cafe/sauna.
SITE CHARACTERISTICS	The site is a single-storey timber-framed building positioned to the rear of the main pier building.
CHARACTER OF LOCALITY	The building is set on the seaward side of the main pier building. The pier is on the edge of the town centre. The area has a mix of residential and commercial uses. The area has a historic character and forms part of The Steyne, Bognor Regis Conservation Area.

REPRESENTATIONS

Bognor Regis Town Council - No objection. The Town Council support the application, given its close alignment to Policy 8c of our Neighbourhood Development Plan which supports: - d) a range of sea and beachside facilities and uses such as restaurants, cafes e) a clear distinction between the pier's Victorian heritage and any 21st century additions. We would comment that developers: - ensure the wood used is of good quality to ensure it lasts; consider anti-climbing mechanisms to avoid the jumping off of the building into the sea as has been seen previously; provide further clarity on the type of windows, and lighting to be used.

Conservation Area Advisory Panel - Objection. The Panel fully support the change of use but considered the use of timber cladding was visually out of keeping with the strong seaside character of the locality. It is considered the external walls need to be of painted render to match the nearby historic structures on the pier.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Comments

- The current condition and appearance does not have the best impact upon the listed pier, and a new use which would ensure that the structure is not only put into a good state of repair but also maintained on an ongoing basis is positive. The new use would also ensure that the structure is used as opposed to be left to deteriorate further
- The installation of numerous windows would result in the loss of significant timber walling and historic fabric. It would also expose the structure, particularly during the winter months when internal lighting is in use, as the building is clearly visible from the promenade in both directions. However, if carefully integrated, this approach could help open up the building rather than appearing as an afterthought. Introducing windows could make the structure feel more connected to the pier, rather than looking like a small, poorly designed addition.
- The application form specifies UPVC or aluminium windows, while the heritage statement proposes aluminium. UPVC would be unacceptable in this context.
- The proposed timber cladding and artificial grass wall are visually out of keeping with the strong seaside character of the locality. The external walls should be finished in painted render to reflect the appearance of nearby historic structures on the pier.
- In general, the various internal works are acceptable, subject to clarification regarding the introduction of new water supply and drainage. Historic fabric should not be altered in the creation of an appropriate drainage run.
- The current proposals do not appear to be informed by the historic character or significance of the listed pier and are therefore harmful. The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 215 of the NPPF (2024).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Grade II Listed Building
The Steyne, Bognor Regis Conservation Area

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

HERDM1 HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

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 16(2) of the Planning (Listed Buildings and 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."

Where the building is located in a Conservation Area, Section 72(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 is not considered to comply with these criteria in that it results in harm to the character and the setting of the Grade II Listed Buildings and the 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

This application concerns use of a storage building on the Pier as cafe/sauna, and associated external alterations. Arun Local Plan (ALP) policy HER DM1 relates to listed buildings, stating that proposals must protect, preserve and if possible, enhance the historic character and integrity of the building and its setting.

Para 208 of the NPPF (2024) requires the Local Planning Authority to identify the significance of the heritage asset affected by a proposed development. The building forms part of the Grade II listed pier. The pier itself is constructed of iron posts with wooden decking and cast iron railings, and has two large principal buildings, which are of historic importance. The two-storey arcade facing the promenade features a hipped roof, ornate central pediment, Art Nouveau stained glass, and modern shopfronts below. The former theatre at the rear includes two square towers with flagpoles, keyed arches, and modillioned cornices. The pier derives historic interest from its links to the development of Bognor Regis as a seaside resort town and is an imposing and prominent building within The Steyne, Bognor Regis Conservation Area. The storage building to the rear of the pier forms part of the listed building, and any alterations to it have the potential to impact the significance of this prominent listed building.

The building is currently not in use, and does not contribute positively the significance of the listed building. Changing the use of the structure would result in improved ongoing maintenance of the structure, which would have a positive impact on the listed building.

Several changes to the external appearance of the dwelling are proposed as part of this application, and conservation officer has expressed concerns that these changes are not informed by an understanding of the building's heritage context. The installation of numerous windows within the structure would result in the loss of significant timber walling and historic fabric. The application form states that these windows are to be either uPVC or aluminium, whilst the heritage statement proposes aluminium. The use of uPVC would not be acceptable within this context. Although the addition of fenestration is likely to be required in order to facilitate the change of use, a more sensitive approach, using materials which are appropriate to the historic context would be required in this instance.

The remaining external materials proposed are vertical timber cladding and what appears to be a grass or living wall on part of the front elevation. The applicant's agent was approached in order to clarify the proposed materials of this section, and to confirm which of the proposed advertisement designs is

proposed, however no response was received. The proposed external materials are visually out of keeping with the strong seaside character of the locality, and the materials of the remainder of the buildings on the pier.

Due to the use of inappropriate external materials, the council's conservation officer has identified that the proposals result in less than substantial harm to the listed building. The public benefits of the scheme must therefore be considered and weighed against this harm in accordance with paragraph 215 of the NPPF (2024). The proposal is for the change of use of the building to a cafe/sauna, which would ensure the ongoing maintenance of the storage building, and use of this currently underutilised space could help the viability and maintenance of the pier structure itself. However, no objection is raised to the principle of the change of use, and an amended proposal, with amended materials could deliver these benefits, whilst not resulting in harm to the heritage assets. Whilst the appearance of the structure currently does not contribute positively to the significance of the listed building, its current impact is more neutral than that of the proposed design, which does not respect the character of the area or the building's historic setting, and would be detrimental to the significance of the pier. Although the proposals would secure a new use for the building, this could be achieved via a proposal with an amended design which better reflects historic environment and significance of the Victorian pier, and this is not considered a convincing justification for the identified harm arising from the proposals.

SUMMARY

The proposed external materials would significantly detract from the building's architectural significance. The proposals result in less than substantial harm to the heritage asset and the public benefits which have been identified are not sufficient to outweigh this harm. The development is contrary to Arun Local Plan policy HER DM1 and the NPPF.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

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

REFUSE

- 1 The proposals, as a result of their design and use of materials, result in harm to the character of the Grade II listed pier. The external alterations result in less than substantial harm to the heritage asset and the public benefits which have been identified would not outweigh this harm. The development is contrary to Arun Local Plan policy HER DM1 and the NPPF.