

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

REF NO: BR/184/19/L

LOCATION: The Pier
The Esplanade
Bognor Regis
PO21 1SY

PROPOSAL: Application for Listed Building Consent to mount 1 No. Blue Plaque to exterior wall to the Pier

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a plaque to be mounted to the side elevation of the pier.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	The site is occupied by a Grade II Listed pier.
CHARACTER OF LOCALITY	The area is mixed in use with both residential and commercial premises. The area falls within a Conservation Area and The Pier is also an 'Asset of Community Value'.

RELEVANT SITE HISTORY

BR/158/07/L	Application for Listed Building Consent to convert existing retail unit to arcade use, replace existing shop front to full width of pier building	ApproveConditionally 18-07-07
BR/115/03/L	Application for Listed Building Consent to remove existing single storey toilet blocks and extend building to incorporate current patio area and provide new toilet accommodation, new staircase. Internal alterations to existing buildings.	ApproveConditionally 11-09-03
BR/215/99/L	Application for Listed Building Consent for alterations to internal partitioning	ApproveConditionally 01-11-99

Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Town Council provided no objection.

1 letter of support received from nearby occupier.

Conservation Area Advisory Committee provided no objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The proposal is to place a 'blue plaque' on the side elevation to commemorate a local resident. The plaque is 38cm across. As such it will not be significantly visible on the building or to the Conservation Area.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Grade II Listed Building

Conservation Area

Asset of Community Value.

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

HERSP1 HER SP1 The Historic Environment

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 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.

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.

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."

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 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 or the character of the Conservation Area.

CONCLUSIONS

The application concerns external works to a grade II listed building. Given the building's listed status, any alterations should protect and enhance the special historic and architectural character of the building, and preserve its setting.

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, because the listed building is significant heritage asset proposals should protect the setting of these buildings.

The plaque that is to be installed is of a modest size at 38cm across. It will be situated to the side elevation at approximately 2.6m in height and will commemorate a local resident.

By reason of the size, design and position it is not considered to adversely impact upon the character and appearance of the listed building.

Para 189 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage assets in this case are of some significance. Para 190 requires the LPA consider the significance of the impact upon that heritage asset. The proposal has limited impact on the significance of the heritage assets as a result of the small size and location of the plaque and is considered to not cause harm to the heritage asset.

Following comments from the Conservation officer it is not considered the proposal would harm the

significance of the building and as a result is in accordance with HER DM1 and HERSP1, in that it is considered to protect and enhance the special historic and architectural character of the building.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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
 - Plaque details
 - Additional information

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local

Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with HER DM1 of the Arun Local Plan and the NPPF .