

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

REF NO: BR/310/17/L

LOCATION: Hotham Park Clock Tower
Hotham Park
High Street
Bognor Regis

PROPOSAL: Application for Listed Building Consent for paint removal, render repairs, lead repair & introduction of new lead flashing at roof level, re-decoration in breathable paint, timber treatment, window repairs & internal wall cleaning including removal of failed coating.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE CHARACTERISTICS	Part of Grade ii listed building in grounds of Hotham Park
CHARACTER OF LOCALITY	Historic town park, various small buildings within a conservation area.

RELEVANT SITE HISTORY

BR/50/74/LB	Demolition Of Conservatory & Provision Of Roadway	ApproveConditionally 21-08-74
BR/49/74/LB	Demolition Southblgs & Erect- Ion Of 1 Three Storey Office Block Comprising 6000 Sq Ft Office Space & Car Park	No Decision Given 21-08-74
BR/472/76/LB	Reduction In Height Of Boundary Wall	Withdrawn 26-08-76
BR/124/17/L	Application for listed building consent to strip off later applied existing bitumen scratch coat back to original brickwork on south front elevation & re-render using lime render.	ApproveConditionally 14-07-17
BR/204/13/L	Application for Listed Building Consent for the installation of a Satellite Dish.	ApproveConditionally 05-11-13

BR/197/12/L	Application for Listed Building Consent to enlarge existing cellar window & create new internal opening	ApproveConditionally 27-09-12
BR/86/99/L	Application for Listed Building Consent for extension of the conservatory and glazed entrance lobby, retention of existing structure abutting the west wall (all changes to the existing Listed Building Consent BR/4/92/L). Minor alterations and demolition to form internal doorway and window.	Withdrawn 14-10-99
BR/5/92/L	Application for Listed Building Consent for minor demolition in order to make structure safe but uninhabitable. Including removal of asbestos sheet roof and tongue and groove boarded floor together with the taking down of unsafe arch over central door.	ApproveConditionally 10-02-92
BR/4/92/L	Application for listed building consent for repair, restoration and conversion to reinstate residential use	ApproveConditionally 14-02-92
BR/288/91/L	Renewal of unimplemented Listed Building Consent BR/233/87/L for repair, restoration and conversion to reinstate residential use.	Withdrawn 06-01-92
BR/19/91/L	Application for Listed Building Consent to replace three existing wood frame vertical sash bow windows by high quality (REHAU) vertical sash uPVC windows	Refused 25-02-91
BR/108/89/L	Listed Building Consent for Repair, Restoration and conversion to reinstate residential use with additions	Refused 07-06-89

There is a significant history of Listed Building consents.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

No objection

Two letters of objection - need to ensure clock mechanism is protected from dust during works.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The Conservation Officer has supported the requirement for protection of the mechanism.

CONSULTATIONS

Listed Building Officer

Conservation Officer

Historic England

CONSULTATION RESPONSES RECEIVED:

Heritage England

No objection - consult own advisor

CAAC

Welcome improvements

Conservation officer

Mechanism to be protected from dust/physical damage.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Listed building

Conservation Area

DEVELOPMENT PLAN POLICES

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

AREA2 Conservation Areas

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

HER DM1 Listed Buildings

HER DM4 Areas of Special Character

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG 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 and is 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.

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 has taking place. 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. The examination was completed in September 2017. A consultation on further modification expires on 23rd February.

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. 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.

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).

The relevant policies of the BRNP have been included in this report.

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.

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 proposed works are set out in a schedule submitted with the application. The specification has been viewed by the Council's heritage adviser and found to be acceptable. They have expressed concerns about protection of the clock mechanism and this can be controlled by condition.

The works to the listed building are beneficial and would help to retain this important structure in the Conservation Area - it is therefore recommended for approval subject to conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the clock mechanism from dust/physical damage.
- Reason: To preserve the character and appearance of the Listed Building in accordance with policy HER DM1 of the emerging Arun District Local Plan.