

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

REF NO: BR/65/22/L

LOCATION: Salisbury House
The Steyne
Bognor Regis
PO21 1TX

PROPOSAL: Listed building consent for the change of use of 5 No self-contained flats for adults with learning difficulties to 5 No self-contained flats and formation of 5 No further flats from HMO rooms, garage and office, repairs and decoration of external surfaces, minor alterations to elevation facing Sadler Street, change one window facing rear courtyard to French doors & apply obscure film to 2 windows in courtyard area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	365.00sqm
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	The property is a mid-terrace, Grade II Listed Building arranged over three floors with a two-span slate roof and stuccoed finish. Otherwise sash windows. The building is set back from the pavement by a small area of amenity space which is covered with decorative tiling. The building extends rearwards to the minor service road to the rear where there is garage provision and an office.
CHARACTER OF LOCALITY	A residential area of varied age and style properties. Salisbury House occupies a prominent position in the historic street scene of The Steyne Conservation Area. It focuses around two squares, the pier, and several smaller service roads. "Dating from the 1820's, The Steyne is an area of modest terraces, imitative in style of the earlier resorts and with a jostling vitality quite different in character from the formal buildings of Sir Richard Hotham's resort about a mile away, and the brashness of the modern seaside activities nearby. The Steyne is an open-ended rectangle at right angles to the sea, lined with two and three storey terraced houses with bay windows and balconies." (Taken from the Conservation Areas Supplementary Planning Guidance October 2000)

REPRESENTATIONS

Bognor Regis Town Council: Objection.

- Parking requirement has increased considerably in The Steyne, which has led to amenity issues

deriving from parking demands in this already congested and narrow street. Proposal would result in further excessive parking demands.

- Overdevelopment of the site.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

PRINCIPAL CONSERVATION OFFICER: - The proposal includes extensive internal alterations to the layout which involve the removal and/or relocation of a significant amount of walling. This will have a direct impact on the floor plan of the building, whose cellular layout can still be understood. Such a change is significant and harmful to the understanding of the buildings as formerly two separate homes (one of which was larger than the other). Listing covers a whole building, including the interior, unless parts of it are explicitly excluded in the list entry. As a result, the entire of the interior of this building is covered by the listing and protected by relevant legislation.

Whilst some works are acceptable, the internal works which affect the layout of the building is harmful. On balance, the impact can be described as causing less than substantial harm in accordance with paragraph 202 of the NPPF (2021). As such, the public benefits that the development may achieve should be considered along with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

ARUN DISTRICT CONSERVATION AREA ADVISORY PANEL: No objection. Trust the Council will ensure that the external alterations in terms of their materials and design are appropriate for a Listed Building and the Conservation Area.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Designations applicable to site:

Within the Built-Up Area Boundary;
Conservation Area the Steyne, Bognor;
Grade II Listed Building; and
Pagham Harbour Zone B.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas

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 the made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Bognor Regis has a made Neighbourhood Plan with Policies 1 and 2 of the Bognor Regis Neighbouring Development Plan being of relevance.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) 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 or the Secretary of State 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 would comply with these criteria in that it would not 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 be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE:**

The description identifies works of repairs and decoration of external surfaces, minor alterations to the elevation facing Sadler Street including the replacement of two garage doors with two large casement windows, a door to flat 4 would replace a window and one window facing the rear courtyard would be replaced with French doors with obscure film to 2 windows in courtyard area is proposed.

The use includes extensive internal alterations to the layout which will involve the removal and/or relocation of a significant amount of walling. This will have a direct impact on the floor plan of the building, whose cellular layout can still be understood. It will be necessary to consider the proposals against the relevant development plan policies which in this case would be policy HER DM1 and HER

DM3 of the Arun Local Plan and the NPPF.

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. Additional proposals should protect the setting of these buildings.

Policy HER DM3 states planning permission will be granted for development which preserves or enhances the character and appearance of a Conservation Area or its setting.

Policy 1 of the Bognor Regis Neighbourhood Development Plan stresses that proposals must identify the significance of any affected heritage asset and assess any harm and benefit. Policy 2 requires development proposals in the 'Wider Town Centre Area' and concerned with extensions and alterations to the exterior of Designated and Non-designated Heritage Assets and their settings must adhere to a 'Secure, restore and boost our seaside identity first' principle by echoing and responding eloquently and innovatively to the local built environment character and setting.

LISTED BUILDING AND HERITAGE

Para 194 of the NPPF advises that in the determination of applications, the local planning authority should require an applicant describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant submitted a heritage statement in which includes a description of the listed building and concludes that the moderate benefits are considered to outweigh the less than substantial harm of the development.

When considering the impact of the proposal upon the significance of a designated heritage asset it is identified under para 199 (NPPF 2021) that a great weight should be given to the asset's Conservation (and the more important the asset, the greater the weight should be) irrespective of if the potential harm amounts to substantial harm, total loss or less than substantial harm to the significance of the designated asset.

Para 199 of the NPPF reflects the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that when considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in the exercise of planning functions, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Salisbury House is a Grade II Listed Building. The neighbouring buildings are identified as listed and collectively they form an attractive group. The main elevation faces The Steyne and the property extends back to have a secondary frontage on Sadler Street. The building is of architectural significance. The building has already had some form of conversion to create a number of apartments which would have impacted on its fabric. The site falls in the Bognor Regis (Steyne and Waterloo Square) Conservation Area which contains two squares: The Steyne and Waterloo Square.

The proposal for a change of use includes extensive internal alterations to the layout which involve the removal and/or relocation of a significant amount of walling. This will have a direct impact on the floor plan. Such a change is significant and harmful to the understanding of the buildings as formerly two

homes (one of which was larger than the other). A timber window and door facing Sadler Street have been replaced with uPVC without consent. The applicant has confirmed that the window and door will be replaced with timber ones.

Whilst works to the rear are minor, the creation of the new door opening results in the loss of a small area of historic fabric, the area affected by this is minor. The Principal Conservation Officer is of the opinion that these are acceptable and have a neutral impact on the appearance of the building, subject to the design, materials, and appearance of the alterations. Details of windows and doors should be provided by way of condition. Whilst these works are acceptable, the internal works which affect the layout are harmful. On balance, the impact can be described as causing less than substantial harm in accordance with paragraph 202 of the NPPF (2021). The public benefits that the development may achieve should be considered which include:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting.
- Reducing or removing risks to a heritage asset.
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.
- Providing additional residential accommodation in a sustainable location.

The impact of the conversion of the Listed Building, namely the internal works which affect the layout of the building, would be outweighed by the benefits of bringing this underutilised building into a beneficial use which would help to meet identified needs for housing; where land supply is constrained, and available sites could be used more effectively whilst maintaining the area's prevailing character and setting.

The application details include a Level 3 Survey Report where it is noted there is significant damp to outer walls, at all levels, some to inner walls and in the existing flat 9 indicators of a dry-rot infestation were spotted. From the above it is clear the building is in relatively poor state of repair. The use would ensure its future and would preserve and enhance this Listed Building and setting of the adjacent Listed Buildings and the character and integrity of the Conservation Area. The conversion would provide 10 self-sufficient flats whilst preserving the historic value of this Grade II Listed Building.

The development satisfies requirements of NPPF, Section 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and policy HER DM1 and HER DM3 of the Arun Local Plan and Policy 1 and 2 of the BRNDP.

SUMMARY

Following the comments of the Principal Conservation Officer the proposal would not cause harm to the significance of the heritage assets or its/their setting therefore the listed building consent should be granted subject to 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:

Dwg No NAD.21.244-03 Rev A, Proposed Floor Plans & Elevations;
Dwg No NAD.21.244-04, Proposed Sections A-A and B-B;
Dwg No NAD.21.244-1, Location & Block Plan.

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.