

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

**REF NO:** BR/90/22/L

**LOCATION:** University Of Chichester  
Upper Bognor Road  
Bognor Regis  
PO21 1HR

**PROPOSAL:** Listed building consent to repair and underpin where necessary, sections of the listed Serpentine Wall. All works are to be carried out in a like-for-like manner in order to preserve the integrity and heritage of the structure.

|                              |
|------------------------------|
| <b>SITE AND SURROUNDINGS</b> |
|------------------------------|

|                            |                                                                                                                                                  |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | The application seeks listed consent to repair where necessary sections of a listed wall.                                                        |
| SITE CHARACTERISTICS       | The site forms part of the University of Chichester campus.                                                                                      |
| CHARACTER OF LOCALITY      | The area is mixed in use with the site forming a university campus. To the south is Butlins with residential properties to the west of the site. |

Bognor Town Council provided no objection.

No representation received from nearby occupiers.

|                        |
|------------------------|
| <b>REPRESENTATIONS</b> |
|------------------------|

Noted.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Noted.

|                      |
|----------------------|
| <b>CONSULTATIONS</b> |
|----------------------|

**CONSULTATION RESPONSES RECEIVED:**

**CONSERVATION OFFICER**

The Serpentine Wall is Grade II listed and is located in the Bognor Regis: Upper Bognor Road and Mead Lane Conservation Area. The proposal is to repair and underpin where necessary, sections of the Serpentine (Crinkle Crankle) Wall. It is noted that one section of the wall will be taken down and rebuilt with new foundations and another section of wall will have a new concrete footing installed. It is positive to note that the intention is for all of the new materials to match the existing ones, and that the applicant/contractor will implement the reusing of salvageable pre-existing bricks that have fallen out and any gaps remaining will be filled with reclaimed bricks to match those already in place to retain the historical integrity and charm of the wall. Whilst the works are acceptable, it would help if a sample panel

to demonstrate the appearance of the new sections of the wall, along with details of the replacement bricks. It is positive to see that the wall is to be carefully repaired and appropriate maintenance undertaken. The application is considered to not cause harm to the significance of the heritage assets or their setting.

## COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

### POLICY CONTEXT

Built up area boundary

Grade II Listed

Conservation Area

### DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

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, 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.

The made Bognor Regis Neighbourhood Plan has no policies relevant to this proposal.

### 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 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/are no other material considerations to be weighed in the balance with the Development Plan.

## 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 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.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The Serpentine Wall is Grade II listed and is in the Upper Bognor Road and Mead Lane Conservation Area. The main area of the conservation area consists of an important and imposing set of principally late C18 buildings fronting Upper Bognor Road which were built by Sir Richard Hotham, as part of an overall plan to make Bognor attractive as a resort. It clearly is important as part of the early development of the site as private homes and is therefore considered to be of high architectural and historical significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset.

The proposal is to repair and underpin where necessary, sections of the Serpentine Wall. It is noted that one section of the wall will be taken down and rebuilt with new foundations and another section of wall will have a new concrete footing installed. It is positive to note that the intention is for all the new materials to match the existing ones, and that the applicant/contractor will implement the reusing of salvageable pre-existing bricks that have fallen out and any gaps remaining will be filled with reclaimed bricks to match those already in place to retain the historical integrity and charm of the wall.

It is positive to see that the wall is to be carefully repaired and appropriate maintenance undertaken. As such the application is considered to not cause harm to the significance of the heritage assets or their setting.

The Conservation officer has noted it may be helpful for a sample wall panel to be submitted to demonstrate the proposed appearance of the new sections of the wall. However, this has not been applied as there is sufficient information within the application, namely in the structural inspection and method statement which details the mortar mix to be used and confirms it will be a like for like replacement.

Following comments from the Conservation officer, the proposal would not result in harm upon the significance of the heritage asset and as a result is in accordance with HER DM1 and HER SP1, in that it is considered to protect and enhance the special historic and architectural character of the building.

## 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.

|                                           |
|-------------------------------------------|
| <b>DUTY UNDER THE EQUALITIES ACT 2010</b> |
|-------------------------------------------|

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.

|                       |
|-----------------------|
| <b>RECOMMENDATION</b> |
|-----------------------|

**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 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 .